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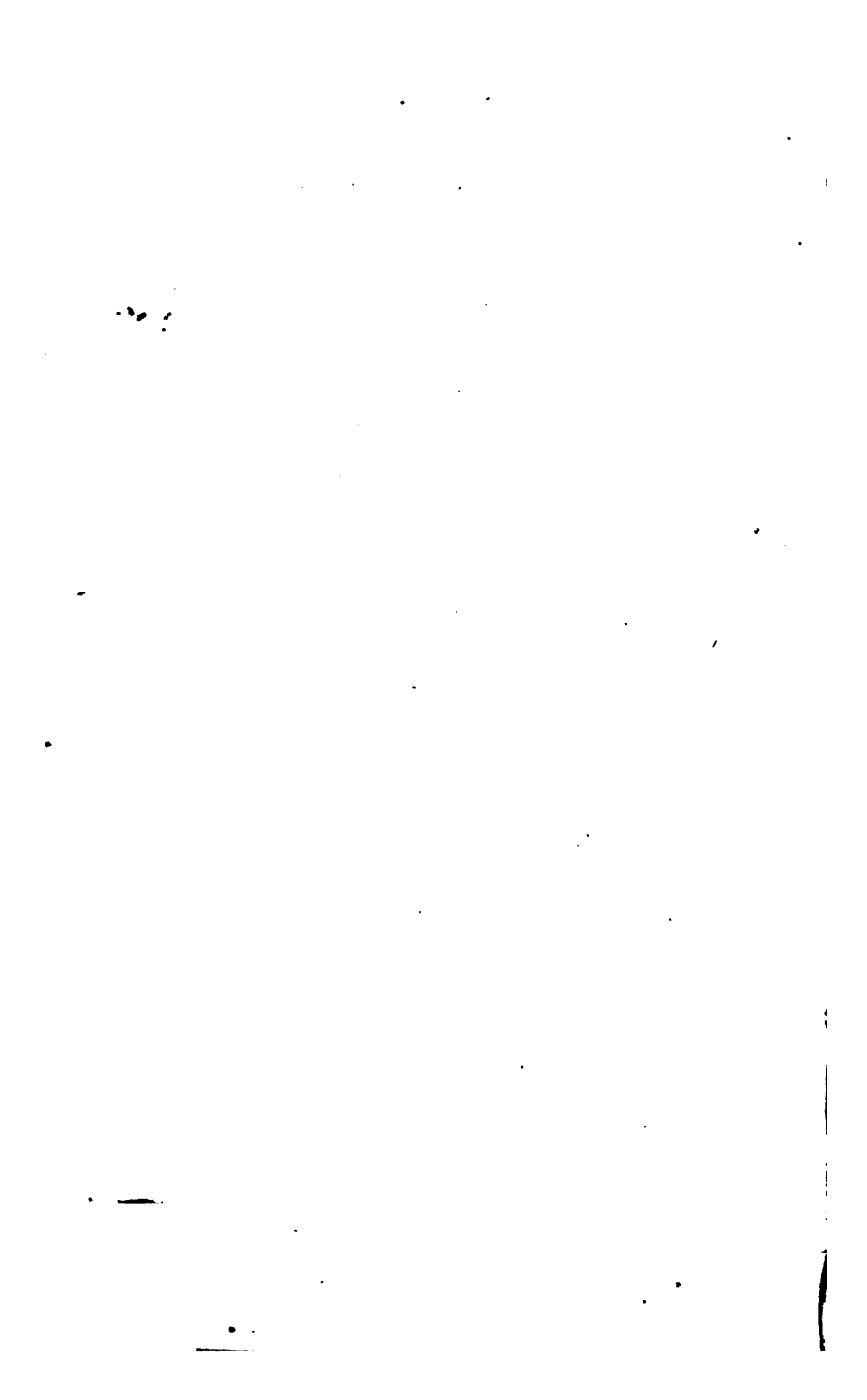
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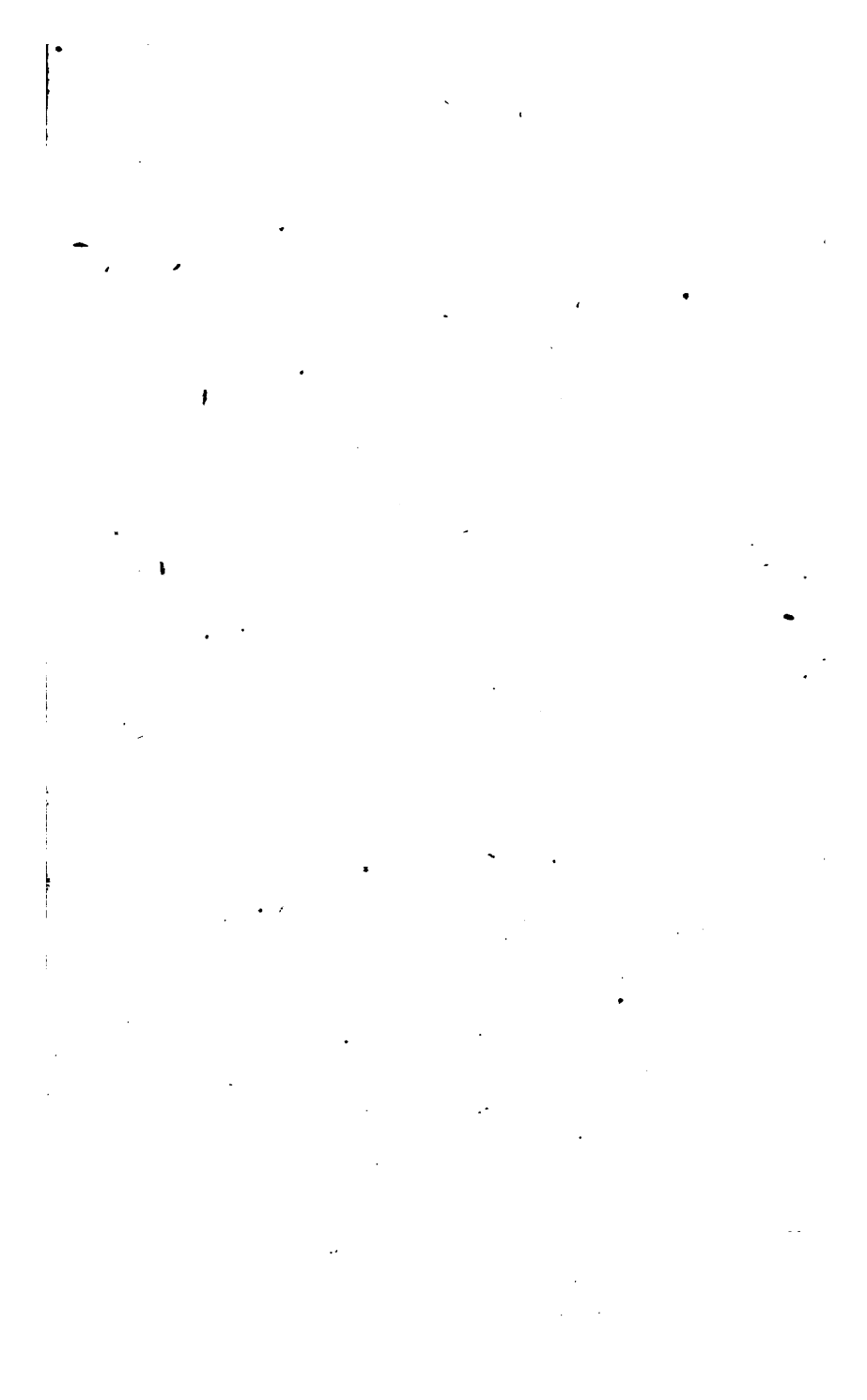
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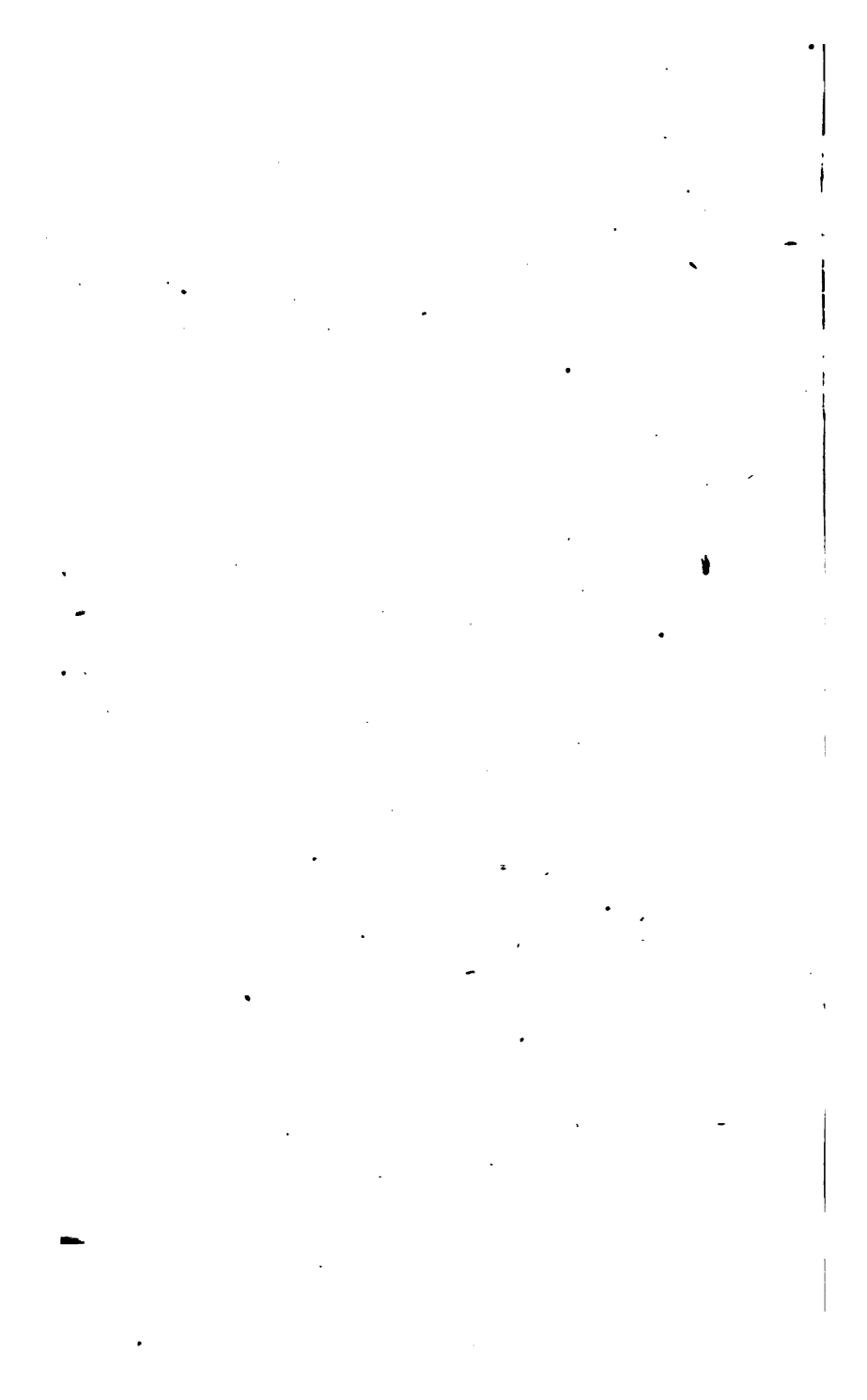
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ON

THE IMPORTANCE OF AN EARLY CORRECT
EDUCATION OF CHILDREN:

EMBRACING THE MUTUAL OBLIGATIONS AND DUTIES OF

PARENT AND CHILD;

ALSO THE QUALIFICATIONS AND

DISCIPLINE OF TEACHERS,

With their Emolument,

AND A PLAN SUGGESTED WHEREBY ALL OUR COMMON SCHOOLS CAN
ADVANTAGEOUSLY BE MADE FREE; THE WHOLE INTERSPERSED
WITH SEVERAL AMUSING, CHASTE ANECDOTES GROWING
OUT OF THE DOMESTIC AND SCHOLASTIC CIRCLE.

TO WHICH IS SUBJOINED BY WAY OF

AN APPENDIX,

THE

Declaration of Independence

BY THE

THIRTEEN NORTH AMERICAN COLONIES,

4TH JULY, 1776.

THE

CONSTITUTION OF THE UNITED STATES,

WITH THAT OF THE

STATES OF NEW JERSEY AND NEW YORK,

AS LATELY ADOPTED.

BY

DR. WILLIAM EUEN,

OF SHAWANGUNK, ULSTER COUNTY.

NEW YORK:

PUBLISHED FOR THE AUTHOR,

1848.

PRICE SIXTY-NINE CENTS.

Entered according to Act of Congress, in the year 1848,

BY WILLIAM EUEN, M.D.,

In the Clerk's Office of the District Court of the United States, for the Southern
District of New York.

gift
Tappan Presb. Ass
12-10-1931

PREFACE.

THE author, in giving publicity to the following pages, assures his readers that nothing would have afforded him greater pleasure than to have had his ideas dressed and carried out, on the early and proper training of a child, by some one more intellectually endowed than himself, and one too enjoying sound health and natural vision, which latter blessing he has not possessed during the labor of composing and compiling the subject of present intrusion.

Subscribers for this little work were, before its publication, made fully acquainted, by the Prospectus, of the author's sore affliction through total blindness, and the consequent necessity of assistance by a proxy, which has been performed, so far as the mechanical part of the manuscript is concerned, by a son between thirteen and fourteen years of age.

And in addition to nearly five years' bereavement of sight, such has been the impaired state of his general health, as to keep him for many months confined to his bed, and no hopes entertained by the most eminent oculists as to a future restoration of sight. Reduced in pecuniary circumstances to the lowest ebb, one of two alternatives appeared only left for him to adopt, either directly to apply for public charity, or, by an amanuensis, so bring in requisition his humble mental powers, as would produce a work on some subject which might serve at least as an apology for a few cents at the hands of an indulgent and charitable public.

The latter course proving more congenial to his feelings, and trusting in some measure to an experience of over fifty-two years, during which time he acted three years as principal in two of our common schools, and afterwards one year in an academy under higher regulations, in connexion with rearing and educating eight children of his own, he has been induced to select the subject as named in the title-

MS. A. 9. 2. 1. 10

page of his present work. Conscious at the same time of not only unavoidable desultoriness, growing out of afflictions already named, but also mental inability to do that justice which the importance of the subject demands; and should he fail to meet the expectations of his readers, or in judgment hold contrary views with them, he trusts he may at least lead to correct suggestions on the part of others, which, in no small degree, will remunerate him for both time and trouble.

Respectfully, &c.,

WILLIAM EUEN.

P. S. The author assures his numerous readers, that for their already extended liberality as subscribers, language is inadequate to express his gratitude for the same.

W. E.

PARENTS AND CHILDREN.



CHAPTER I.

THE assembling and organizing ourselves into societies for the purpose of devising ways and means whereby spiritual bread may be scattered over lands now shrouded in heathenish darkness, ignorance, and superstition; and the dispensation of alms to the poor and needy of our own land, are among the highest acknowledged privileges of a Christian community, yet the proverb (though old) is not less trite which says, "Charity commences at home;" and authority as high as Heaven itself declares that he who does not provide for his own household has denied the faith, and is worse than an infidel.

A declaration so pregnant with admonition, and direct from the archives of Heaven, would naturally seem to lead a reflecting parent or guardian to inquire what provisions are intended whereby an elevation can be secured above that of the rank of an infidel. Does it mean the mere providing of a shelter and raiment to protect our children from cold and pelting storms, or wholesome food to nourish and sustain their physical powers? If so, then indeed man stands no higher in his boasted scale of creation than the brute, which does the same for its offspring through channels of *instinct*. And while I am ready to admit that all these corporeal provisions are required at the hands of the parent or guardian, still I believe something higher and nobler is embraced. The culture of the mind, the power and seat of thought—the soul of man, a spark of God himself, who, wonderfully condescending to dwell in man, as a diamond in the quarry, commands him to drag forth and improve this hidden intellectual treasure, with the same imperativeness and clearness as he does the cultivation of the earth at the hands of the husbandmen.

In the first place, education is a very comprehensive term. It includes the whole course of *Physical, Moral, Religious* and *Scientific* instruction and discipline.

Its power is exerted on the body as well as the mind ; in other words, the whole individual must be trained, in order that every part may be duly benefited and every faculty of mind and body fully developed.

Physical education consists in that system of corporeal discipline by which the powers of the body are brought to perfection, and its faculties fully exhibited, and by which we acquire *vigor* and *health*, with a constitution suited to active business of life. This is best encouraged by the study of Anatomy and Physiology, or those laws which treat of the structure and functions which characterize living beings.

These principles are best promoted, particularly in early life, by a proper system of diet, a free indulgence in the unrestrained sports and innocent amusements of childhood, thereby establishing in the constitution, as a solid and permanent foundation, those immutable principles of *Temperance* and *Truth* on which we may with safety build our hopes of future happiness and health ; bidding defiance, while earthly existence shall last, to those storms and tempests which so frequently arise on the ocean of life, and by which so many of the thoughtless and ignorant are doomed to perish. And although I intend to reserve for following pages many of the duties of parents and guardians, still I deem it proper here to say, that youth is the fit time to encourage exercise and temperance.

The constitution is much injured by improper restraint in the healthful and cheerful exercise of the limbs in the open air, at this stage of life. All nature teaches us that a large portion of the time of youth should be sacredly set apart, in the ways and manners already here suggested, for the more effectual purpose of giving elasticity and buoyancy to the muscular system, to strengthen and consolidate the body, that the mind, as the individual approximates to manhood, may assume that *tone* and dignity of character, together with amiableness of disposition, as will enable him or her to enter upon their respective duties in a manner worthy of the Being who created them,

and the high station which they occupy in the immensity of his works.

Moral education must also be commenced very early in life. That system of instruction and discipline which gives us a sensitive knowledge of the distinction between right and wrong, which erects in the mind a sacred regard for the immutable principles of *Truth, Justice, and Moral Integrity*, and which erects in the soul a strong fortification against irregular and vicious habits, can never be successfully commenced if the individual is old enough to be brought under the influence of our higher seminaries.

The foundation of the moral character must be laid under the inspection of the watchful parent. The affectionate yet keen eye of the mother must detect in the cradle what needs restraint, and discover the various developments of the disposition; and it is at this stage of life that she is to adopt such measures, and by mature deliberation lay down such a system of rules and regulations to guide her in training her offspring, as will have a tendency to check the first dawnings of evil, and give a proper direction to the early buddings of their young and tender minds. And this system should be constantly and rigidly adhered to, as you value their well being in time and in eternity.

Do not suffer yourselves to be turned aside from the path of duty by the false notion that the natural affection existing between parent and child forbids such a system of training and discipline.

None but the ignorant and foolish can subscribe to such doctrines; and speaking of discipline, I wish to be understood as including subordination, without which order (heaven's first law) can never be maintained, so as to properly unite the many and varied links that form the great chain of a useful and virtuous education, and admitted by the wisest of all ages as constituting and forming within the man a second nature, from the fact that mind is intimately connected with matter, and susceptible of being shaped, formed, or moulded almost in the same manner as a potter controls his lump of clay.

A celebrated physiologist, in speaking of early impressions upon the mind of the child, declares that those received when only *three years old* are the most permanent

and lasting, and for each of which, indentations or visible lines, are discoverable on the inside of the cranium.

That certain fissures or furrows are discernible on the human skull, as just named, is an undeniable fact; but whether we are prepared or not to subscribe to this doctrine, as based on sound physiological principles, one fact is certain, that impressions early made upon the mind are never erased or obliterated in after life, where nature has been left free and undisturbed in all her physical and mental functions.

It is true affection that first prompts us to teach our little ones obedience, to watch over them with care and anxiety, and as far as we can prevent the sowing in their minds those seeds, the future growth of which may sap the foundation of their happiness not only in this life but that which is to come.

The wise man said, "Correct thy son and he will give rest to thy soul;" it should also be remembered, that "whom the Lord loveth he chasteneth," "scourgeth every son whom he receiveth," and if this work is effectually accomplished, we cannot commence too soon to correct the evil propensities which begin to develope themselves in infancy, and implant in their place those principles which when once rooted, will abide with them through life.

And if there is anything which the philanthropist should most ardently desire and devoutly pray for, that is so closely connected with the welfare and happiness of his beloved country it is this; that the time may soon arrive when the eyes of all parents shall be opened to see the importance of this subject, *and seeing*, may feel it their duty to commence and train up their children in the way they should go. Then shall we have taken one important step towards banishing from our land that fiend *Ingratitude*, which is more hideous, when it shows itself in a child, than the sea monster.

With regard to religious instructions, it may perhaps be thought superfluous by some for me here to enter into an exposition of my views on this subject, as there are so many religious sects, all differing from one another in their opinion in regard to religious instructions and training, especially as the remarks which I have already made on this subject of moral education were intended as a general

introduction to this subject. Suffice it to say, however, that in this work all sectarian feeling should be laid aside, and take the Bible for the man of our council, not forgetting the words of its holy author, to "follow charity"—that is, to arm yourself with that "love which thinketh no evil—that is not puffed up, that suffereth all things," that "love which never faileth;" then shall we be prepared by fearing God and keeping his commandments to instruct those committed to our care in the ways of religion and virtue.

CHAPTER II.

SOLOMON, Israel's third king, has by way of pre-eminence been styled the *wise man*, and we may evidently trace his wisdom as the result of an answer to an honest and faithful prayer to God, in which he seemed to have a clear and distinct view as to the difference between wisdom and knowledge.

Among many of the various sayings of this great man, found on the sacred page of history, he says, "Train up a child in the way he should go, and when he is old he will not depart from it." Infidels and sceptics have taken occasion to seize hold on this divine truth as one of their grounds whereupon to discredit the holy Bible, "for (say they), we see children who have been trained up under the most rigid discipline of parents, whose walk and conversation were in strict accordance with all the rites and ceremonies of the true church militant, turn out the biggest devils on earth."

For argument's sake, admit the position or charge, still it does not even cast a shade of untruth on Solomon's assertion, which like many other passages of sacred scripture, is given us to be understood in a qualified sense, and evidently intended to convey the fact, that children properly trained would be more likely to grow up correctly, and afterwards practise such habits as would not only make them pleasing to their Creator—an honor to their

earthly parents, but shining lights of usefulness to their fellow men.

In declaring that the page of *holy writ* often requires certain qualifications, I trust not to be understood as endeavoring to enter a wedge whereby its validity can in any instance be impaired, but merely intend to say, that while we take the letter, the spirit also is to be carefully sought for, which not unfrequently speaks to us in allegories or figurative language, and when the subject is beyond our finite grasp it would be far better to seek divine aid by faithful prayer, than even to intimate a discrepancy in any part of God's Word.

In order to show the value of this advice in guarding against the poisoning seeds of scepticism, and to prove how much better it would be at all times to distrust our own judgment than that of God, where an apparent ambiguity appears, I beg leave to mention a difficulty which occurred to me when a child about twelve years old.

Reading Moses's account of the purchase of a piece of land by Jacob, from the children of Hamor, recorded 33d chapter of Genesis, 19th verse, he says, one hundred pieces of money were paid for the land.

The evangelist Luke, whom theologians generally admit to be the writer of the acts of the Apostles, states in the 7th chapter and 16th verse, with direct reference to Moses's account, that the purchase was made from the sons of Emmor, and the marginal note of the large editions states that a hundred lambs were given.

On this hobby infidels and sceptics have mounted, full booted and spurred, declaring that, "although it does not alter or change the statement as to the land, still the persons from whom the purchase was made, and the mode of payment, has a lie stamped upon its face."

I confess, on first reading these two statements, that my infant capacity was unable to reconcile these apparently contradictory accounts; and, applying to my aged sire, he too confessed his inability to give any other satisfaction than to say, "My son, God's word is true; and whenever you find a passage handed down from him to man which you cannot understand yourself, either receive information from other finite minds of riper years, or by way of answer to an honest and faithful prayer to the Author from whom it emanated, '*Learn to trust,*' even if you have to wait

until that day when all the mysteries of His providence shall fully be revealed before assembled worlds;" and continued to say there was "no more contradiction in the person; Hamor and Enmor, from whom the land was purchased, than there is between Isaiah and Esais, which, in the original Hebrew, is always understood to be synonymous, or meaning one and the same person." Admitting, as to the mode of payment, that he was unable to reconcile it in any other way than on *credit*, even in his own matured age; which is first stated by Moses, on the marginal notes of some of the large editions of the Bible, to have been in lambs; and the second in Luke, who invariably states money. Thirty-six years after this advice, and twenty-eight subsequent to the decease of this father, I had the pleasure to hear a lecture, from John P. Durbin, D. D., (then President of Dickinson College, Carlisle, Pa.), before the Wilbur Fisk Society, of Philadelphia, on the Harmony and Concord of the Holy Scripture.

The learned gentleman opened his lecture by exhibiting several large drawings, or paintings, on canvas, with a view to show the order of creation. First, the earth, in a state of chaos, or confusion; next, the separations,—water from the dry land, the former confined to its depths, and the latter diversified into mountains, hills, and vales; thirdly, vegetation; next, animal creation; and, lastly, man.

During the course of the reverend gentleman's lecture three copper coins, or pieces of money, were introduced, stating, at the same time, that he was third in hand since their discovery, eighteen months previous, by a gentleman of unquestionable veracity, who stated he had obtained them in a subterranean passage of Persia, several feet below the surface of the earth. The coins varied in size, and were found, with many others, in three different strata, or layers of mason-work, evidently placed there by design.

On one side of these coins was the figure of a Phœnician lady, and on the other that of a lamb; clearly proving that in those days that Moses wrote there was a copper currency called lambs; and, therefore, perfectly harmonizing with the evangelist's account as to certain pieces of money having been paid by Jacob for a parcel of land, as before stated, where, afterwards, his remains were interred.

To show the reasonableness of this conclusion, in asserting that there were in the days of Moses pieces of money styled lambs, we have but to come to modern phraseology.

Suppose an English gentleman is asked what he gave for his coach and horses, and replies, "two hundred and fifty sovereigns;" would any one suppose he meant two hundred and fifty Queen Victorias? for she is a sovereign. Unquestionably not; but two hundred and fifty pieces of gold coin, nearly five dollars in the United States currency.

Again, an American is asked what he gave for his coach and horses, and answers; one hundred eagles; would any one suppose he meant birds? for an eagle is a bird. Certainly not; but one hundred of the largest American gold coins, worth ten dollars each. And should a Frenchman state so many Napoleons, he certainly does not mean so many Bonapartes, but a French coin called a Napoleon. I have thus far extended my remarks growing out of Moses's and the Evangelist's account in reference to Jacob's land purchase, in order to show the danger in hastily deciding, upon any subject, particularly those points arising out of our holy religion of which we are not sufficiently enlightened or capable of understanding. Proverbs, 16th chapter, 10th verse, declares: "A divine sentence is in the lips of a king, his mouth transgresseth not in judgment." Thomas Hewis, LL. D. and M.D., Rector of Aldwinkle, Northamptonshire (England), thus defines the sacred passage just quoted: "This is only literally true of the King of kings, the divine Messiah, but it speaks what should be the conduct of every ruler."

"A divine sentence or divination should be in their lips, their wisdom should be oracular, and their decisions never influenced by passion or favor, but guided by the rule of unerring truth of God." Hence Solomon was directed by more than human wisdom when he decided between the two women, each declaring to be the mother of a child brought before him. Holding the Bible as the only unerring rule or standard whereupon a correct education of a child can be based, it therefore behoves parents, guardians, or instructors, to early teach out of that book to discriminate as far as possible between the letter and the spirit, with a reconciliation of those passages which apparently (yet do not) clash or contradict each other, else fatal or erroneous ideas may be imbibed. And in order more faith-

fully to discharge this all-important duty, they should, in connexion with honest prayer to God, as already herein suggested, seek the works of men whose writings are not only proverbially acknowledged for evangelical piety, but learned theologians, whose trade or pursuit in life better qualifies them, than those whose occupation is more abstruse or of a different kind.

In addition to the two passages already given as found in the word of God, requiring certain qualification, I beg leave to cite a few others which are similarly to be understood or comprehended.

God is said to be every day angry with the wicked, and then again it is declared that anger only rests in the bosoms of fools.

Here the child is to be so taught the difference between the anger of man and the displeasure of a holy, just, and upright being, whose very character forbids the looking on sin in any other light than that of abhorrence and disgust. As we are faithfully to endeavor to correct the inordinate passions in the human breast; still, the child is to be so taught as to hate sin with a perfect hatred on account of its sinfulness; at the same time pity, kindly feel, and extend advice as far as possible to the victim, from whom it emanated through diabolical influence.

CHAPTER III.

THE government of the tongue and the keeping under proper subjection all the human passions are declared to be superior to the cool acts of a general in commanding an army, and he who indulges in improper passions sustains (aside from an offence against the deity) other serious losses—he dethrones a god-like mind by inviting a demon to usurp its place, and thereby renders him incompetent to display those powers which his Creator otherwise intended, besides giving his adversary an advantage over him.

This latter position reminds me of an eminent lawyer of New Jersey, who some years since was attacked with

a paroxysm of apoplexy, which soon yielded to proper medical treatment, and was afterwards assured by his physician that unless he strictly guarded against sudden ebullitions of immoderate anger, the construction of his neck, chest, and thorax, with general temperament, was such as to leave but little doubt it would cost him his life.

About six weeks after this advice the lawyer had occasion to issue a writ, in order to recover one hundred and fifty dollars on a promissory note left in his hands for collection; on the return term of the process the defendant desired to speak to the lawyer at the bar while the Court was in session, which request he granted by stepping to a remote corner of the court room, when the former accosted the latter with abusive language merely for a faithful discharge of his official duties.

The lawyer, regardless of his physician's advice, and in opposition to his own better judgment when in a calm state of mind, suffered his anger to rise in such a degree as to fall senseless on the floor, and in less than ten minutes ceased further to breathe on the shores of time.

I have already stated that the first developments in the mind of a child require the watchful eye of the mother, at the same time do not dismiss the co-working of the father, and among many of the valuable counsels given by Judge Hale (England's proud jurist, Christian, and philanthropist), he holds the following advice in relation to anger:

"When a person is accused, or reported to have injured you, before you give yourself leave to be angry, think with yourself, why should I be angry before I am certain it is true, or, if it be true, how can I tell how much I should be angry until I know the whole cause?"

"Though it may be he hath done me wrong, yet, possibly, it is misrepresented, or it was done by mistake, or it may be, he is sorry for it.

"I will not be angry until I know the cause, and if there be cause, yet I will not be angry until I know the whole cause, for till then, if I must be angry at all, yet I know not how much to be angry. It may be it is not worth my anger, or if it be, it deserves but little.

"This will keep your mind carried upon such occasions in a due temper and order, and will disappoint malicious and officious tale-bearers."

A poet has said, "Childhood, happiest stage of life, free from care and free from strife." This, to a certain extent, is true; yet children, even two or three years old, have their troubles and trials; and in their innocent sports not unfrequently evince vehement and angry passions, which instead of being corrected by their parents are made the subject of laughter.

Habit, though slow, strengthens with age, and when children manifest anger towards one another the heinousness of their offence should be pointed out as considered by their Creator, who had endowed them with a mind capable of understanding, to a certain extent (even in early life), the difference between right and wrong, and how worthy of imitation are the little unfledged birds, who never quarrel in their nests.

The growth of all improper disposition in a child is no doubt often the offspring of a mistaken judgment on the part of the mother, who frequently declares her child too young to understand correction and thereby withholds it even in a degree; whereas a child only able to sit alone who will throw itself back, rolling and tumbling on the floor, should be gently raised by the rod. And if such passions in children are neglected, they will at last become incorrigible, and bring down the grey hairs of their parents with sorrow to the grave; while the thus uncontrolled offspring, advanced to maturity, is either an inmate of some prison cell, or solitary dungeon, or else at large in society, more to be dreaded than the midnight assassin, being incapable of self government, or exercising the philosophy of a Socrates, who on a certain occasion said to his servant, "I would beat thee if I was not angry."

But intending in subsequent pages of this little work to further treat on the "Infant Nursery," I, at present, forbear, and return to redeem my pledge, to instance one or two more of the many passages found in the Bible which require early explanations so as to enable a child to understand and rightly receive the spirit, where apparently the letter presents a contrary view on the subject; which I do in part by reciting the following dialogue said to have taken place between a little girl named Mary, and her mother, after the former had finished reading the 22d chapter of Matthew.

Mary.—"Mother have you not told me that which

Christ enjoined as a duty to be performed by the Jews was equally obligatory on us?"

Mother.—"Yes, my child, that which required the performance of the moral law by the Jews is equally obligatory on us Gentiles."

Mary.—"Well, mother, have you not also told me that I should love you, father, brothers, sisters, and all other fellow creatures on earth?"

Mother.—"Yes, my daughter."

Mary.—"Well, I find on reading this chapter (presenting the one just named), that Christ in the 37th verse commands, 'Thou shalt love the Lord thy God with all thy heart, and with all thy mind, and with all thy soul, and thy neighbor as thyself,' now, if this is binding on me and calls for all my love to be surrendered to God, where will I find any left for you, father, brother, sisters, &c.?"

Mother.—"The declaration you speak of, my child, was drawn from our Savior in answer, as you will perceive, to a taunting question put to him by a lawyer of the sect of Pharisees, viz. :

" 'Master, which is the greatest commandment in the law?' and, in order better to capacitate you to understand the answer in all its breadth, height, and depth, and to show that the requirements on my part from you to discharge filial duties towards your earthly parents, observing in connexion therewith a proper regard for the ties of consanguinity, with a general love to all mankind, is not at variance with God's Word, I will read to you a note or comment, by an able Gospel Minister, of the present day, —He says the meaning of 'thou shalt love the Lord thy God, &c.' is, thou shalt love him supremely, more than all other beings and things, and with all ardor possible, to love him with all thy heart is to fix the affection supremely on him more strongly than on anything else, and to be willing to give up all that we hold dear at his command.

" 'With all thy soul or with all thy life, this means to be willing to give up the life to him and to devote it to his service, to live to him, and be willing to die at his command.

" 'With all thy mind, is to submit all our intellect to his will—to love his law and glory more than we do the decisions of our own mind.

“To be willing to submit all our faculties to his teaching and guidance, and to devote to him all our intellectual attainments and all the results of our intellectual efforts.

“With all thy strength, with all thy faculties of soul and body. To labor and toil for his glory and to make that the great object of all our efforts.”

Parents are too apt to repulse their children when interrogating or seeking information, excusing themselves that time will not permit the hindrance, or the solution of the information sought is either so simple or nonsensical as to require no reply.

This I consider an error in judgment as filial, conjugal, or those emotions arising from the heart of the genuine philanthropist, may all spring in a less or greater degree from sinister or selfish motives of affection.

But parental love alone exists without alloy, Dr. Franklin's opinion as to natural affections to the contrary notwithstanding; and there is nothing so insignificant in creation that cannot be made to improve the meanest intellect of a child, where its infant prattle (under proper subjection as to time and place), even as to the growth of a blade of maize, or spear of grass, the creation of an insect, the formation of a ball, the construction of a doll, may all be so explained by the parent as to prove beneficial to its offspring in after life, and the course pursued by the mother with her daughter Mary, as just mentioned, is worthy of every parent's or instructor's imitation; still it is to be feared that explanations are often left in obscurity for the want of certain words not being defined so as to reach the infant capacity. In expressing this fear, I do not advise the surrender of dignified language which can at all times be employed without descending to technicalities.

The note of the able commentary as far as it goes is all very well, and wisely employed by the mother; still, Mary is left ignorant as to the true meaning of “thou shalt love thy neighbor as thyself,” which could have been happily explained by reference to our Savior's narrative of the good Samaritan's conduct towards a Jew journeying from Jerusalem to Jericho, who fell among thieves, and was left by those who had robbed him, weltering in his blood, nearly dead, and passed by unaided by those of his countrymen in high stations. Still the Samaritan who was

also travelling the same way, and actuated by true principles of benevolence, on seeing a fellow creature thus situated, humanely stepped forth and administered unto his necessitous situation, doing as he would like to be done by under similar circumstances, although the object assisted sprang from a tribe which the Samaritan had been taught on his mother's lap to hate, despise, and neglect.

CHAPTER IV.

THE peruser of this little work may perhaps consider me as too frequently introducing the name of my father, but as I only beheld my mother with the eyes of an infant, it was to him alone that I principally looked up for sincere council and advice, which he never failed to grant in tenderness and love, though so stern and inflexible in all his Scotch parental demands, that never would he permit me to appear before him without my hat off, or leave his presence when under reproof; and should many of the oriental disciplines of parents towards their children be practised at the present day in this country, such parents would be branded with the epithet of tyrants, and the child be encouraged by not a few low-bred and illiterate serfs to flee its home for some distant land, and that too at a tender and dangerous stage of life.

But in all his stern requirements for reverence and respect, still his soul delighted at all times to descend to my infant capacity, whereby I might not only profitably be instructed but amused. One instance in particular I beg leave to mention. When a child about six years old residing in my native town, Newton, Sussex County, New Jersey, about sixty miles from the sea-board, to which there was no regular communication but once a week, on horseback by the mail carrier, though now there is a connected line of steam cars and stages running daily from Jersey City to Milford, Pa., embracing a distance of eighty miles, consequently fifty years ago Newton was rarely privileged (if so in truth it could be styled), to those of

the present day in scenes of amusement for the young, excepting spinning frolics and apple cuts.

At last, however, a *down-Easter* ventured his way over stones and stumps, with one horse and wagon loaded with puppets, and such an apparatus as would enable him to give an exhibition in buffoonery, as the citizens of Newton had never before witnessed, the corners of the streets, and the pumps thereof, with the two stores and two *Inns*, were soon placarded, setting forth an array of amusements, the like of which never occurred in the brightest days of Shakspeare. The hoop, - marbles, ball, and even books which had before pleased, had now lost their charms. Although every child's eye (with not a few adults) beamed with joy at an early hour of the day in anticipation of the announced evening's performance, still it was left for mine to droop in despondency. My father was absent from home about ten miles distant, in the exercise of his profession as a physician, and I further well knew that without his accompanying me I dared not "see the *Elephant*."

The room where the puppets were to be exhibited was lighted—playmates running from every direction of the village to gain an entrance—with me all I supposed was lost, when to my great joy and satisfaction I discovered my father on horseback wending his way homeward. With tears in my eyes I asked him if I might go that night and see the puppets dance, which other boys had told me was a beautiful sight and had already commenced. He assured me it had not, although the door was opened for the reception of visitors, still the performance would not commence under half an hour; having full confidence in his word, and being taught prompt obedience, I became calm and resigned.

And in a few minutes taking his hand, I was conducted into a thronged assembly, greeted by instrumental music. On the rising of the curtain, a little old gentleman and lady, in height about eighteen inches, called Punch and Judy, made their appearance on a small stage or platform, very obsequiously bowing and courtseying to their audience; after which in strains of the warmest conjugal love—kissed with arms around each other's neck—Punch called upon the musician for an appropriate tune whereto he and his wife Judy might dance. The request was complied with, and the little old gentleman and lady commenced (which

I supposed was all real), several feats of agility, mostly confined to the feet—passed and repassed each other, hopped, jumped, wheeled about and turned about, to the great amusement of all the children present. Such was the ecstasy realized on my part that I cried for joy, which being observed by my aged sire caused him to smile—an evidence of his happiness in finding his son pleased, not however without a mixture of regret for my want of rationality. Punch and Judy finishing their dance, immediately made their exit, as I supposed into a rear room, upon which my father commenced a comment on the whole scene, as follows: “My son, what you have just seen was not real, but a mixture of imitations, or falsehood covered with disguise. Punch and Judy are nothing but pieces of inanimate matter, and every part of their bodies, covered and uncovered is the work of art and not of nature. The eyes are glass, the sockets in which they are set are formed out of wood by a carver, together with the ears, nose, mouth, chin, arms, hands, legs, and feet; the articulations of their joints are produced by small wires so constructed as to be governed by the draw of a larger one unseen to you, by a man behind that screen (pointing to a large piece of green baize about ten feet long, and reaching from the floor nearly to the ceiling). As he passed along in his explanations, he also defined in child-like style the meaning of imitation, disguise, inanimate, art; and at this latter word he took occasion to teach me the difference between art and science, and resuming the definition of words, explained to me the meaning of socket, *carver*, articulation (when applied to joints), constructed, governed, screen, which course he had always pursued, and subsequently practised throughout his life when in oral conversation. First scene closed as just named, a second opened by what was denominated in the bill of advertisement, babes in the wood, which was so represented as to show a wicked uncle contracting with two mercenaries for the death of a nephew and niece, aged about four and three years old, whereby he might obtain their large inheritance, which, being concluded, he made his exit. When the hired villains immediately on horseback conducted the children into a wilderness of great extent—one more compassionate than the other refused to execute the murderous bargain, and in a quarrel with his relentless comrade

slew him and instantly fled, leaving the children alone wandering to and fro in the woods until nearly dark, without being able to retrace their steps—when for want of food, fatigue of the day, and exhaustion of strength, reposed themselves under the boughs of a mighty oak, and soon fell asleep in each other's arms, where robins covered them with leaves. The next day at the dawn of morning, renewed their efforts to find a way out of the woods, but fruitless as before, accompanied with loud lamentations, famished for want of food again about sun-set, cried or wept themselves to sleep—to awake no more on the shores of mortality, and in like manner the kind services of the bird covered their little bodies—succeeded immediately by a convoy of mimic angels conducting them above (in appearance) to the realms of bliss. The whole scene was solemn and imposing, causing like the first (though under different influence), tears again to flow down my little placid cheeks, creating at the same time in the countenance of my father evident satisfaction of pleasure in beholding the tender and virtuous emotions of my heart.

This second scene closed, there was yet a third to be presented, during the intervals of which my father made several comments on the inordinate love of money, which had so governed the uncle as to prompt the murderous act in connection with a diabolical violation of the tie of consanguinity, and all laws governing social, moral, and religious duties incumbent or binding on man.

Next the providence of God, in the kind offices of the robin, and although the appearance of an immediate conveyance of the children in the bosom of their heavenly father, was calculated to show the benefits that finally await the innocent, still he believed the representation of the angels to be a direct act of blasphemy.

The third and last scene introduced Punch and Judy, not however under the same influence or feelings of courtesy and respect for their audience, or in as happy and friendly a state of mind towards each other as in the first scene, but rushed upon the stage highly excited, and in language loud, criminating and recriminating each other, soon leading to blows.

In the height of which, the devil was represented as coming up from below, belching forth from his mouth sul-

phuric flames, long tail, horns on his head—feet cloven, who without any ceremony, seized upon the rioters and conducted them below to the regions of interminable misery; this last scene caused me to shrink from fear, and clinging to the arm of my father, appeared to say—protect me; having as little knowledge of security as a little child of two years old with his head under mother's apron, or the ostrich when chased by the *hunter mounted on horseback*, on the ocean's beach thinks itself secure if in sand it can only cover its head.

On our way home he resumed further comments on the exhibition, observing first that the fear I manifested during the last scene was a natural inherent principle of man, and could only be removed by the grace of God, who would never withhold the consolation of peace and security from those who sincerely loved and kept his commandments.

Whereas "the wicked flee when no man pursueth," and I trust my son, your course of conduct through life will never cause you to be ashamed to live, or afraid to die, and as to the last scene of the puppets which we witnessed this evening, I am clear in the opinion as in the second that it was profane and alien in the sight of Heaven.

And the principal reason for not permitting you to visit those kind of shows or exhibitions without my presence, is to protect and guard your mind against poisonous, false, and erroneous implantations, which otherwise might be made, and although I would not carry out in your education to the full extent of certain measures which the Spartans practised (particularly in making their servants drunk in order to show their children the evils therefrom), still such is the power and force of ocular demonstrations (that in subsequent years should our lives be spared), I may deem it proper to let you visit a theatre, where you may see pictured almost to life in the tragedy of the Gamester, the baneful influence of gambling.

In the London Apprentice, or sometimes called George Barnwell, the blighting influence on a youth, who, when basking in the mild sunshine of *innocence* and *virtue*, was caught like a bird in the fowler's snare by a wicked Millwood, whose fatal charms allured, seduced, and at last dragged him down into a gulf of infamy, shame, and

misery, accompanied with blushes of conscious guilt—a thief—a fornicator, and afterwards—the murderer of his beloved uncle, for which latter deed he expired on an ignominious gallows.

And although Barnwell's tender age, without counsel, father or mother, may have caused him to become an easier prey still, "All for Love, or the World well lost," shows that a wicked cunning woman in the person of a Cleopatra could seduce and hurl from his kingdom, even the cool, sagacious Anthony, at a moment, too, when he sought her destruction as queen of Egypt.

The tragedies of "Julius Cæsar," and that of "Richard the Third," point to plunder, blood and carnage, without regard to age or sex, as the legitimate offspring of inordinate ambition, while it is left for an Othello to show the despicable character of a liar and a mischief-maker, in causing seeds of jealousy to be so sown and rooted in the mind of a husband by a villanous Iago, as not only to destroy the strong bond of true conjugal affection, but lead to the death of a fond and affectionate wife, as represented in the beautiful and innocent Desdemona, and afterwards again by the same hand the assassination of him whose diabolical plot in creating jealousy had its origin in covetousness, desiring the station of Cassio, whose overthrow he only contemplated without any design upon the natural life of Desdemona, though through slander he was willing to doubly murder her.

Although a kind explanation with comments had been furnished by my father in relation to the exhibition just witnessed, with several unseen theatrical amusements, still I was left in ignorance as to the true cause by which the puppets appeared to speak or move, and notwithstanding during certain seasons (when not in time and place), he was very austere and repulsive, yet sacrificed much in answering all my childish questions, and a great number seemed rather to please than if I remained a mute, idle, or unobserving child. "My son, the seemed conversation of the puppets to which you so attentively listened this evening, proceeded from the same man who I told you held the long wire behind the screen, by an art, styled ventriloquism, possessed but by few persons, and a dangerous talent often producing death; as instead of naturally rising from the lungs it is drawn up from the

abdomen direct into the thorax or windpipe, without any motion of the lips, and to a bystander often appears to come from a distance or contrary way from the ventriloquist, and in addition to what I have already named about the wire pulling, you will find as you grow up to manhood a great many human puppets in the world, conspicuous in their movements, yet entirely governed, directed and controlled by deceitful, artful wire pullers, unseen and unheard by those against whom they intend to operate in some base pecuniary fraud or political juggling. In mentioning the just preceding course of my sire, in relation to amusements, some of my readers may suppose that I am an uncompromising advocate for the theatres in affording youthful, mental recreations, whereas (though frank to acknowledge myself an admirer of Shakspeare's writings), I believe the theatre has been productive of much harm in corrupting good morals, particularly by encouraging apprentices in large cities to purloin money from their masters, and while the present shilling houses of amusement may have lessened the amount stolen, still it has dragged from the poor widow and fatherless children many a loaf of bread, and sent her ragged elder son alone to a theatrical pit, there to congregate with the low and vulgar, whose examples are too often unchaste and immoral, to say nothing of the impurity of the matters represented in the play.

It is held by many, that where children are daily afforded opportunities of beholding bills announcing plays, and parents invariably refuse to allow them any participation therein, the children are thereby rendered doubly disposed to play the truant and become refractory.

As to the soundness of this logic, I leave my reader partly to decide; but one fact is certain, that we should never "do evil that good may come," and if parents should occasionally deem it proper to indulge their children in visiting houses of amusement, not only great care must be observed in selecting the piece, but always personally accompany them, and as far as possible by timely comment extract sweet from the bitter.

Parents residing in the country are not so exposed as the class just named, and should they find occasion with any of their children to visit a large city, had better take them to an exhibition of natural curiosities, or visit a gal-

lery of fine arts, where the pencil has almost exhibited nature herself, or traverse the wharves and hear the bustling noise of commerce, with a view of the majestic ship which brings the produce of foreign climes in exchange for ours. And it is to be extremely regretted for the last few years, our museums have become greatly corrupted by the introduction of buffoonery, obscene songs, and *negro* extravaganzas.

In objecting to children visiting houses of amusement without their parents or proper guardian, not only false impressions may be imbibed, but also salutary opportunities lost for profitable instruction; for instance, the tragedy of a Damon and a Pythias represented in the presence of a child, exhibits the strong chords of true and genuine friendship as to be willing to die for each other; still, how weak and insignificant when contrasted with the unbounded and unparalleled love of the Savior of the world, *who died* for his *enemies* that through his precious blood they might live *here* and *hereafter* in peace and happiness.

To a great extent inordinate desires for theatrical amusements, might be lessened by a greater familiarity on the part of parents in conversation with their children, the introduction of chaste books with innocent plays when at home. Playing cards as employed by gamblers, should never be introduced to children, not even what is styled a genteel game of whist, and they should be kept ignorant even as to the name or value in play of any card, and the same course pursued in after life growing out of this conscious ignorance, will keep them secure against the frauds of gamblers and blacklegs. Drunkenness, though slow in its progress, will ultimately lead to poverty; but the gambler in less than one hour may not only bankrupt himself, but also a confiding friend or friends, who had endorsed his business paper, besides bringing round his domestic fireside a long train of misery, want and penury, inflicted upon a fond and affectionate wife and family of children.

I have already hinted at some of the moral and physical recreations necessary for children, and will add, as I may hereafter have occasion to speak, that while the body is sought to be improved the mind should not be neglected; the sports of foot races and ball alleys for boys, exert a healthy motion on every part of the body as well as an

active vigilance on the mind, and the latter also affords a convenient place for girls to jump the rope, or enjoy a game of graces in tossing the hoop. But as a general rule, I cannot recommend jumping, hopping, or wrestling, for they are more or less attended with danger, and it is a source of deep regret that parents and teachers introduce gymnastics for the amusement of their children, which too often lead to the destruction of life, such as fire arms and swings; the sensation of pleasure derived from the latter is but an undue rush of blood to the head, and thereby produces dropsy on the brain.

All games of chance should be avoided, and although the backgammon table is practised by many of the fashionable and genteel, still it greatly depends upon chance in the throw of the dice.

The billiard table, shuffle board, pitching quoits, and the ten-pin alley, though they exert an exercise of the pectoral muscle with a calculation of the mind, still they are generally productive of profanity in adults, particularly when a bet is pending, and boys become adults.

As a mental exercise free from all work of chance, I can cheerfully recommend the checker and chess board, but in no instance should a wager pend on the final issue of any game, for he who extracts money or property from another without giving its value, and justifies himself on the ground that he risked the same amount will find his argument not only in the eyes of a holy and pure being, but in every good and virtuous man's a base *subterfuge*.

I have already stated that the impressions made upon the mind of a child only three or four years old are the most permanent and lasting, consequently the neglect on the part of parents to properly instruct, or cause to be instructed their children at a tender age, may subject them in after life to imbibe fatal and pernicious errors, at a time too when the parent ceases to exist and no true friend at hand to correct the evil.

Our beneficent Heavenly Father has furnished means whereby ends may be secured, and however laudable desires may exist in the human breast (under proper restrictions), as to this world's goods, a child should early not only be taught to cultivate all the social relations which bind man to his fellow-man, but also the infinite value of its soul, and the means whereby it may be made

happy here and in eternity, which we are taught, through the Bible, is a work entirely of grace through faith in the Lord Jesus Christ; faith necessarily presupposes *knowledge* of this object, and all his attributes upon which it is exerted; and as children die, this one of the many gracious means should early be imparted as far as possible, which like bread cast upon water, may many days after be profitably gathered up or collected.

One instance which I beg leave to mention, is the case of a little girl about eleven years old, who, during a revival, in 1816, in a Presbyterian congregation in Orange County, New York, was admitted into full communion of the Church, and after celebrating the Lord's Supper, was asked by a wag, on her way home, if she knew the Lord Jesus, whose dying love she had just been celebrating, and very gravely answered—

"Yes sir. He is so big as the Heavens of Heavens cannot contain him, and yet so condescending as to dwell in my little heart."

The wag next asked what object she had in connecting herself with the Church?

The girl replied—"as one of the means whereby I *may have my soul happy here and hereafter.*"

Ah! (rejoined the scoffer), do you know what your soul is?

"Yes. It is that which thinks, sir—the Mind."

Some may be ready to doubt this statement, but I had it from my preceptor, when a student of medicine, who was at that time an Elder in an adjoining Church. And though now dead, has left a name for truth and veracity as pure as the unbleached snow upon the mountain tops.

Although it will readily be admitted these questions were the legitimate offspring of a divine operation, still, no doubt, graciously bestowed through proper instruction on the part of earthly parents or guardians, and her knowledge of what constituted the immortal part of man, puts the blush on many, who, when asked what is the soul? answer, the heart—the office of which is intended to regulate life—or, if they do not name this organ, will declare it is the blood, which, when properly oxygenated and elaborated, imparts strength and nutrition to every part of the body, through which it wonderfully and sublimely circulates, but, like its coursing channels, is confined within and bounded by the walls of mortality.

CHAPTER V.

It is said of a pious mother who had on a certain evening during the erection of the family altar, her youngest son, about eight years old, kneeling at her lap with two younger daughters, while the husband, after having read the fifth chapter of Paul's first Epistle to the Thessalonians, further led the devotional exercises by prayer, which, when closed, the mother directed her children to retire to their respective places of rest during the remainder of the night. The little boy looked and asked—

"Mother, who has the first right to my obedience—*God or you?*"

The mother very mildly replied, "that our Creator was always promptly to be obeyed as far as finite capacities would admit; and wise and good mothers would never ask from their children that which is in contradiction to the will of their Heavenly Father." The little boy continued—

"Well, mother, the chapter which father just read from the Bible, commands us to '*pray without ceasing,*' and you tell me to stop praying and go to bed."

The mother smiled, and said, "I will tell you a story about an old black man called Ned, slave to a planter by the name of Thornton, residing in the lower part of Virginia, and with whom boarded a young clergyman from the North, who, one morning, after reading the chapter now under consideration, and which in the 17th verse says, '*pray without ceasing,*' called forth a friendly exchange of opinion from the members of the family, as to the true meaning of the passage.

"Old Ned, though deprived of the knowledge of letters, and from policy kept in general ignorance, *still was* more favored than the rest of the slaves, for he was occasionally called from his hut to perform some of the menial duties of Mr. Thornton's table, who professed to be a follower of the Lord Jesus Christ (though mother thinks he greatly erred in holding fellow-beings in bondage). However, Ned thus privileged, in connexion with the more particular attention on the part of the young clergyman, had picked up some wholesome spiritual crumbs as

they fell from his master's table, and on going one afternoon to the young clergyman, said, 'massa, me overheard you—massa and missus Thornton, talkin' about the meanin' of "pray widout ceasin'," now will you let me give my meanin'.' 'Certainly,' replied the clergyman. Ned then replied, 'when missus tells me to go sweep parlor floor, off I go get de broom, obedient to them that has authority over me, and as I sweep de floor, pray God to sweep clean my heart. Missus tell me again, go kindle de fire. I go right off, and as I blow de coals, pray God to kindle up a holy fire in poor old slave heart; and massa tells me go in de field and hoe corn, off I go get de hoe, obedient to another that has authority over me, and as I hoe round de corn, at de same time pray that Lord Jesus Christ would hoe grace all round poor old Ned's heart, and dis me call pray widout ceasin'.'"

I trust I shall not be accused by my reader as indulging in unwarrantable levity, and beg leave to say, that old Ned's explanations of "pray without ceasing," remind me of two boys who were sent by their mother on a certain morning to the wood-pile to pick up chips, in order to prepare for dinner. In due time the boys arrived, and James's arms were heavily laden, while his brother's were entirely empty. The mother, at the top of her voice, cried out—

"Bill, why have you disobeyed me, in coming without any chips?"

"I'll tell you, mother," replied the boy. "Jim's feet was so big that they kivered them all up."

And believing that old Ned's explanation of "pray without ceasing" has not only fully covered the whole ground, but beautifully shows how a passage of holy scripture can beneficially bear a spiritual interpretation, which at the same time approximates literally to an impossibility.

The little boy listened very attentively to old Ned's explanation as just stated, still manifesting an unwillingness to commit himself to sleep at that hour, no doubt believing, as many children do, that mothers greatly err in issuing their early orders for bed, but not comprehending that a like rising verifies an old proverb, in imparting health, wealth, and wisdom. Sensible, however, that all his petitions proved unavailing, he threw his arms around his mother's neck and affectionately kissing her, accom-

panied with a "good night—off I go to bed, and suppose, according to old Ned's views, I must pray Jesus to sleep with me." "Certainly," replied the mother. Upon which, the child very shrewdly rejoined: "well, mother, if Jesus sleeps with me, who will take care of you, father, brother, and sisters, with the Chinese, who, you told me last night, rose about this hour." This last, like the first question, was promptly answered by the mother, who so taught as to impress upon the mind the propriety of asking Christ to sleep with us, and at the same time so qualified as to understand that his omnipresent eye never sleeps.

To even slightly scan over the many passages of sacred scripture which require to be received in a spirit different from the express letter, would occupy more labor and research than is the privilege of my reader's blind afflicted servant, and the motives which have drawn forth present explanations, have first been prompted to turn the tables on those who have dared to declare that Solomon's assertion as to training up children, &c., given to him by divine inspiration was false, and secondly, to show the wisdom of those mothers, who early endeavor to instruct or teach their children to follow their Creator's directions, free from the seed of infidelity or scepticism. It so be feared that parents and instructors do not attach sufficient importance to the word *train*, in educating their offspring, leaving *precept* (with imitating in example the faithful patriarch Abraham, an allusion to whom has already been made) in part if not entire to the work.

Having already stated that habit, though slow, strengthens with our years, and those which are indirectly as well as directly, with prompt correction on the part of parents without indulging in any false notion of tenderness, as chronicled in the 1st book of Samuel in relation to Eli and his house.

Behold the children of Eli and the child of Hannah! The venerable High Priest, though his heart yearned after the glory of God and the best interests of his church, had been unwilling to bestow upon them proper discipline which could alone control their strong and unholy propensities. When informed of their evil doings whereby they defiled the sanctuary, he laid upon them no wholesome or salutary restraint, but with a foolish weakness left

them with a partial rebuke to pass on in the causes of sin, "treasuring up wrath against the day of wrath," and when at length the patience of God is exhausted, how tremendous was that curse, which like the bolt of Heaven, fell upon them.

"I will judge the house of Eli for ever, because his children made themselves vile and he restrained them not."

Does not this example stand as an awful beacon to warn the world of God's displeasure of a neglect of parental discipline and instruction.

How beautiful is the contrast afforded in the son of Hannah, that child for whom she prayed and who had been given to her by the Lord, she lent him as long as he lived. She regarded him as a sacred trust which she must *train up* for God—with maternal tenderness she watched over the early developments of his character with faithful and pious instructions, guided him in the way of holiness, and how great must have been her reward when she felt as all Israel, that he was appointed of the land for a Prophet.

Again behold in these examples the result of parental fidelity and faithfulness, the child of that humble Israelite is made the means of communicating to Eli the awful designs of Jehovah towards him, who, though the High Priest of the Lord, neglected parental duties, and brought down on himself and his guilty household the vengeance of Heaven; difficulties often arise in the proper training of a child from whence better things should be expected—for instance, a father while correcting an incorrigible son receives an interference on the part of the mother, who declares in the presence of the child; the infliction not just, and therefore unnecessary, and by reversing the order, the father steps in the same way between the child and mother, and such a course of conduct on the part of the parent must materially lessen if not entirely destroy the efficacy of the intended remedy (for children are invariably fond of having restraint removed), and unless there was a direct act of inhumanity or cruelty, no interference by either party should exist, and where just censure is attributable, let it be made known in a mild and proper manner without the knowledge of the child.

Children when young, in general are more ardent in

their love for the mother than the father, and often a misguided reciprocity on the part of the former defeats the salutary advice of the latter, and thus in an unexpected hour plunges the offspring into a vortex of irretrievable ruin.

The Author of our holy religion declares that a "House divided against itself cannot stand," and daily experience and observation verifies this divine assertion, which can in many instances be traced to an unfortunate, hasty and inconsiderate connexion growing out of the marriage contract.

A few remarks on this divine as well as civil institution, I trust will not be considered an unpardonable digression from the subject more directly under consideration.

The female, restrained in our own country by an arbitrary law, is denied the privilege of making the first advance in selecting a partner who is to share with her in future life those joys which rest on the rose's bud, or on the downy pillow, or with her to labor at the oar of adversity in crossing life's tempestuous ocean.

Man, therefore, approaches with all his lordly power, too often alone directed by the eye in beholding superficial beauties, and not until often he is victimized by his own suicidal hands upon Hymen's altar, does he discover the partner of his choice a curse instead of a blessing—why—because external attractions have clouded and eclipsed an otherwise sober discriminating judgment, which would have sought after hidden intellectual beauties, unlike the former, would have brightened and strengthened with their growth, and like a happy Palemon and a lovely Lavinia, with a numerous offspring bid defiance to the storms and tempests which toss on the waves of time.

Perfect concord and agreement between husband and wife is intimately connected with a correct or sound education of a child, and a man who enjoys the advantage of a good education should never connect himself by marriage to an ignorant woman; vice versâ, a well educated woman should never throw herself in the arms of an ignorant man.

In seeking spiritual blessings we are commanded not to be unequally yoked, likewise so properly to *train* up a child, let its parents be equally yoked as to intellectual

endowments, and here permit the mention of a case in point coming directly under my observation.

A young man scarcely twenty-two years old, possessed of an easy competency—family connexions of the first order, and whose father was one of the most learned men of his day, and had spared no pains to place his son upon the same pinnacle of literature as on that which he (the father) stood arrested.

Sire deceased—the young man sojourned into a distant land where, regardless of a poetic effusion (which he had often read in relation to isolated external embellishments), “Women when unadorned adorned the most,” gave his hand in marriage to a young lady not sixteen years old—the symmetry of whose features was not surpassed by any of her sex, but unfortunately losing her parents when but about two years old, and through the abandonment of an elder and only sister she was left an orphan, friendless and forlorn to dwell in a section of country where little or no interest was taken in improving the intellect by means of a teacher, whose proficiency even in orthography was not sufficient to direct him in spelling the word *Constitution* without employing a K, consequently the lady marrying unlettered had no taste to improve her mind in after life.

During twenty-five years of her married life, she presented to her husband eight living children, five of whom had at different times, during the absence of the husband been placed out as servants or kitchen scullions (the menial duties of which will be treated upon in subsequent pages of this little work, as highly honorable and commendable when connected with the duties of their own household). In opposition to the father’s will, who, endeavoring to educate, or cause to be properly instructed had expended by such opposition thrice the sum it otherwise would have cost.

The children growing up rarely lost an opportunity to insult their father, and when by him reproved the mother would order both to stop, declaring she wanted no more of their contentions, which request, if based on a hope of restoring good order was also visionary—the die was cast, and five of the eldest children like Absalom put themselves in battle array, contrary to the authority of wholesome and salutary counsel from their father, and thus led

on by an ignorant mother, and an extra supply of clothing clandestinely furnished, encouraged her eldest son to flee his home and seek protection from the aunt just named, who destitute of the natural claims of those affections which has to course the veins of consanguinity, lost no time in obtaining employment for her nephew, then scarcely fifteen years old, as a conductor of a cross country mail in a one horse wagon, announcing his approach to each respective post-office by thrilling blast from a tin horn; and as large oaks from little acorns grow, this son in less than three years afterwards graduated with the full honors of a four horse stage driver, the proper grooming of which animals had formed within him on the Sabbath day, a greater delight for a curry-comb than the Bible.

The father, after more than two years fruitless search for this truant son, and attended with heavy expenses, once more embraces his first born under the parental roof, and giving vent to sorrow mingled with joy in strains of the psalmists: "My son, my son, would God I had died for thee;" "did I not early teach you when riding in a coach never to ride outside as the postillion, but inside as the owner, in which latter place or position you would be entitled to eat at the first table, whereas the former would force you by custom of our land to eat in the kitchen with ostlers and boot-blacks." That which was intended by the father as wholesome reproof, the mother could not appreciate, and declared in presence of the returning prodigal that his course had been honest, and therefore honorable and perfectly free from censure.

The second son, it is believed, joined a company of strolling gypsies in the far wilds of the west, who with all the other children (save one) in after days, separated from the father and scattered over many States of our union, professing and practising like a Caleb Quotem, many trades, but master of none.

But to return more directly to my original purpose.

Wholesome and salutary advice is often seriously poisoned by an unwarrantable interference on the part of some bystanders, in whose veins run not one drop of blood existing between the parent and child, which may be traced to two sources, first those who possess a kind of restlessness, and who are never happy or contented unless they are paying more attention to the affairs of others than

to their own; and, secondly, another class who are prompted by the tenderest and purest motives still unwise and uncalled for, causing blighting and withering influence on the mind of the child.

To better illustrate the latter interference I will take A. for a father, B. for a son, and C. for a bystander.

A. commands B. to depart for his school, which is so far obeyed as to place B. about ten rods beyond the gate which opened into the yard immediately fronting his dwelling. B. sets down to spin his top, or shoot with marbles, A., in a voice sufficiently loud to be heard by B., again commands departure for school, and like the first disobeyed; whereupon A., not a little excited at this disobedience, advances towards the child with a small stick or rod in his hand, threatening at the same time its infliction on his back unless he forthwith promptly obey the command for school. Up steps Mr. C. and says—"Mr. A. you should not scold your little boy, or threaten to flog him, for he would go to school without it, as I know he is a very good little boy."

A comment to show indiscretion, nay, cruelty on the part of C. is unnecessary, for the most superficial observer (even if the father had been indulging in an undue ebullition of passion), must acknowledge it would have been better for the child, if the admonition of Mr. C. had been made to Mr. A. in absence of B., who now, in connexion with his previous inclination, believes that his sire was wrong, and thereby doubly disposed to contemn and despise his future commands or requirements.

In the case of Eli just named, neither the page of sacred nor profane history furnishes any mitigating circumstances whereby he was hindered or prevented from a timely and proper restraint of his children through the instrumentality of a third person, but solely arising out of his own mistaken views as respects true parental tenderness.

CHAPTER VI.

IN speaking of correction I deem it proper here to say, that it should never be inflicted by a parent under an improper influence or anger, but always endeavor as far as possible, first to convince the child's understanding as to the justness of the inflictions, which as to mode and degree cannot be too seriously considered.

The rod by some has been met with entire disapprobation, contending that punishment of a milder form proves more salutary and lasting in prompting to duty, whereas the former, like a spur of the moment may seem to stimulate proper action, but soon its benefits are no longer discoverable, from the fact, that the child has been taught by the frequent lash to feel itself degraded, and thus not only the mental but physical energies palsied and unfitted for the seed of laudable emulation, which latter course should be encouraged in the mind of a child instead of being depressed.

But there are cases where the use of the rod is indispensable, and I have already alluded to it in the stage of infancy where the child assumes airs of a buffoon, in its ground and lofty tumblings on the floor.

In giving vent to unhallowed passions, and in recommending the rod, I do it under divine sanction as a dernier ressort to reclaim the wicked or incorrigible child, where gentler means have failed to produce reformation, and the many instances witnessed where mild means had proved unsuccessful, no doubt spring from a want of punctuality on the part of parents or instructors to inflict, or else the promised punishment is so extravagant, that even a child six years old of the meanest capacity would know that it dare not be inflicted. In order better to illustrate my views in relation to the many dangers to which a child may be subjected, for the want of punctuality on the part of parents, and to show a case of foolish extravagance, I beg leave to mention an anecdote of two boys playing on the floor, while the mother was at the tub washing the family clothing. The oldest boy is said to have cried out, "Mam, Bill is pinchen me ! Upon which the mother

turned round and, addressing herself to the little offender, said, "Billy, don't you pinch your brother again, if you do, it will not be well for you, for I will give you such a trouncing as you will remember all the days of your life."

A few minutes only elapsed and the complainant repeated his charge. "Mam, Bill pinches me again." Upon which the mother seized a tin-dipper, and plunging the same in a pot of boiling water, snatched a knife from the dresser, brings it forth, and, in a menacing attitude towards the accused, declared at the top of her voice, "Billy, did I not just tell you that if you pinched your brother a second time I would give you such a flogging as you would remember all the days of your life? now, rest assured, if I hear of your pinching your brother a third time, I will scald you with this hot water, and afterwards skin you as I would a dog!"

A minute, only, elapsed, when the eldest boy cried out, "Mam, Bill pinches me again." Whereupon the mother became enraged almost to distraction, and in order to show her high displeasure of such disobedience and full determination not to let it go unpunished, pulled locks of hair from her head, stamped her right foot upon the floor, and then, in a voice almost resembling the Falls of Niagara, exclaimed, "Billy, did I not just tell you that if you pinched your brother a third time I would scald you and afterwards skin you alive like a dog? and all that I have now to say to you is, that if I hear of your pinching your brother a fourth time I will tell your father of you."

Although the mother had in connexion with promised punishment flashed, as it were, lightning from her eyes, showed the boiling water, flourished the deadly steel, dragged hairs from her head, with violence stamped the floor, and screamed with a terrific voice sufficient to awake the lion from his lair, still not a nerve was moved on the part of the little offender, who, on the contrary, coolly observed to his brother (complainant), "Mam has told three lies right off in quick succession, and I don't believe one word she has said or will say, and, therefore, I will give you one confounded big pinch."

Sanè persons are always considered as acting from motive, whether it be good or evil, while the insane are contrarily actuated or governed, and it is not a little to be

regretted that mothers who have received opportunities in their education of a refined cast, far superior to the wretched one just described (who threatened to scald her son and afterwards skin him alive), should to their infants, while dandling them on their laps, indulge in trifling and unmeaning expressions, such as "Mammie's pitty—itty—litty—sweetie—nicie—charmie—tiny lammy," or if they do not indulge in such nonsensical or frivolous expressions, often to hush the capricious cry of their child or as opiates to quell pains of reality, threaten to cast their offspring to the hogs, or else cry out for the dog.

"Here, Ring! Here, Ring! come take Johnny—with the old tom cat, bulls, bears, lions, panthers, screech owls, wizards, ghosts, hob-goblins, and bugbears," together with an array of demons more dreadful than ever presented themselves to the poor drunkard while laboring under a paroxysm of delirium tremens.

And not a few mothers justify themselves by declaring the child too young to understand or comprehend what they say; if so, then mothers acknowledge themselves insane, but the contrary is the fact, else why does the child become quiet? evidently from fear, and although too young to remember or recite the unmeaning threatening words of the mother in after years, yet awful periodical aberrations of the mind have followed it down to the grave, even at the advanced age of threescore and ten.

Punctuality in business has ever been considered as important to its success as the main-spring of a watch is in regulating its movements, and as promises of reward often have a better tendency to stimulate a child than the rod, parents and teachers should as sacredly redeem their promises under this head as they would execute threatened punishment.

Intending in subsequent pages, however, to present further views under several distinct heads; as to what I conceive essential or important in the proper training up of children, necessity will again force me into the nursery, where many duties attached to the important station of parents (especially mothers) will be duly considered; begging leave here once more to say that *education* forms within the mind a kind of second nature, and so powerful has it manifested itself even in the ranks of the middle-

aged as well as those of childhood, that we find not unfrequently, the bonds of both conjugal and parental love severed, with all the ties of consanguinity immolated under the cracking and crushing wheels of the car of Juggernaut.

Or else a mother committing her infant to the devouring jaws of a crocodile, whose capricious tears she believes flow for an offence committed by her against some idol whom she falsely worshipped as a god, and to appease which, considers duty demands the sacrifice of her child.

Or the wife believing it a sacred duty, commits her body to the burning fagot, and on the funeral pile expires with her also falsely educated and deluded husband.

And the early principles instilled in the mind of a child, have, in after years, even in old age, so developed themselves, as not only to change the order of natural affections, but to render it a cosmopolite or citizen of the world, at the expense of those feelings which flow more immediately in channels of their own native land. And although this cosmopolite may boast of his or her philanthropy, distrust their sincerity so long as they fail or neglect to discharge those natural duties which flow from the tie of consanguinity.

The natural man is everything with himself, and has justly been styled a numerical unit, an absolute integer that bears no relation but to himself or his species, while the civilized man is a relative unit, the numerator of a fraction that depends on its denominator and the whole value consists in its relation to the integral body of society, and also a child may be so trained as in after life to totally disregard the sufferings, or to rejoice in the happiness of its fellow man in other climes than that of its own native land; and in some instances, so ardent has the love of nativity been carried, that self-preservation (nature's first and general law), has been so disregarded as not even to claim a secondary thought.

The selfish views which too greatly characterize the present political age in almost every land, would illy comport with the Lacedemonian Pædaretes, who presented himself for admission in the council of the Hundred, was rejected, returned home rejoicing that there were to be found in Sparta three hundred better men than himself.

Admit the demonstrations of this man's joy sincere, as there is no room to believe they were not, we prove him a true citizen of his countrymen.

Again, the page of History declares that a woman of Sparta having five sons in the army, and being in hourly expectation of a battle, a messenger at length arrived, of whom she trembling asked the news. "Your five sons," said he, "are slain;" upon which the woman vehemently exclaimed, "Vile slave, who asked you of my sons?" "But we have gained the victory," continued he; this was enough; the heroic mother ran to the temple and gave thanks to the gods. Though the conduct of this mother under certain qualifications might adorn the ensign of any nation, still it shows an absence or want of those benign influences of Christianity which better prompts the mother's bosom, and spurns to appease with human life the capricious cries of a crocodile.

Daily experience and observation teaches that we are greatly the children of circumstance, and where a child is not blessed with parents strictly by profession, walking within the pale of the true church militant, yet such is the wholesome influence of Christianity, that men (unless open and avowed reprobates) dare not otherwise than practise it. Morality, which, although it is not genuine religion, still it is one of its brightest concomitants, and when properly brought to bear by example upon the education of a child, beautifully illustrates the saying of a celebrated dramatist, "How far a little candle throws its beams, so shines a good deed in a naughty world," and as the sentiments of reverence has justly been declared by an eminent female writer on the education of children, as one of the noblest attributes of the human mind, affixing an exquisite sense of enjoyment, it operates in a thousand ways to elevate and embellish the character. Its first development is in the feelings of a child for its parents, and this is the natural preparation of the mind, for its rise is to a higher object, even to the Father of Heaven.

As the understanding ripens, and this sentiment is cultivated, it embraces all that is vast and magnificent in nature, and in art, shedding over the character of its professor an indescribable grace, softening the very tones and rendering it impossible for the manners to be wanting

in deference and courtesy towards parents, teachers, or the aged of any description.

In order, therefore, to bring a child up to this desired standard of reverential respect, both the father and mother must, at all times, in their family walk circumspectly, whether in or out of doors, else precept will be of little or no avail.

To enumerate in detail all the various duties of parents would occupy the labor far beyond the present design; still, I beg leave to mention a few here, reserving others for subsequent pages.

In order for parents to secure respect from their children (as in every other intercourse with society) they must first respect themselves, and show by their daily walk and conversation, as just intimated, that they are as they would have their offspring.

Parents who would avoid rearing their children as calumniators or slanderers must be careful how they speak evil of others, particularly those who are absent, a habit only indulged in by the vicious, low, illiterate, and cowardly.

A good and virtuous man if he can say nothing favorable of his neighbors spurns the mentioning of evil, as he would an armed coward rushing on a defenceless foe.

Shakspeare says,

"On eagle's wings immortal scandals fly,
While virtuous acts alone are born to die."

And it is to be regretted that in many parts of our highly favored land many parents spend their social and domestic evenings slandering and vilifying their neighbors, and so keen has their appetite been whetted up by practice, that they take occasion on the Sabbath-day, which denies them manual labor, to stroll about from neighbor's to neighbor's, or else congregate on the margin of some stream of water, loll on logs, rocks, or stones, breathing forth mischief and slander against some innocent, unoffending absentees, whose higher sense of right and wrong, and strict attention to matters only of their own, form the sole ground for these unprovoked and wanton calumnies, or attacks, upon his, or her, character.

The celebrated dramatist just alluded to, in further speaking of the slanderer says,

"Who steals my purse steals trash, 'tis something—nothing,
'Twas mine, 'tis his, and has been slave to thousands.
But he that filches from me my good name,
Robs me of that which not enriches him,
But makes me poor indeed."

In our Savior's speaking of defilement, he declares in the 15th chapter of Matthew and 11th verse, "It is that which cometh out of the mouth that defileth the man, because it comes from the heart" (here the heart is to be understood as alluding to the mind, and not that organ, as already stated in a former part of this work, which regulates our real life). Yet, notwithstanding this clear divine assertion, we not unfrequently find parents who openly profess to have experienced the renovating influence of divine grace, speaking before their children against their neighbors in language not only disrespectful but couched in obscenity sufficient to shock the inmates of the lowliest and most abandoned brothels.

If a father would have his children honor and respect their mother, or prove to the world that he is a gentleman, let him by example ever address that wife in language as chaste as he did before he received her hand in marriage.

I have already alluded to the importance of some of those obligations which exist in, or grow out of, the marriage contract, and while I may be charged with having attached too great a severity to husbands on account of disrespectful language to their wives before strangers—charity proceeds (notwithstanding deep wounds may have been inflicted) not intentional, but growing out of thoughtlessness, and this latter position reminds me of two pictures, executed in view of social happiness.

The first representing a young gentleman and his intended bride. And agreeing to a short perambulation through an orchard, with a promenade around the garden near the dwelling; the suitor, with all the gallantry of a true lover, is represented as coming up to a pair of bars, which, one after the other, from the top to the bottom rail, he completely removed.

The second picture, one year after marriage, represents a walk over the same ground as the former, but, instead of removing barriers, as before, he is seen ten or fifteen rods in advance, while his wife, with a child in her arms, is climbing over the bars as well as she can.

This may be called unintentional neglect, still, inexcusable, for as his wife she was entitled to more attention after than before marriage, and although the example here could have no effect on the babe at the present time, still, a continuance of the same course of conduct must, in after years, more or less poison that filial and respectful affections due from offspring to the mother.

In promoting a healthy, early education of a child, circumspection, both in language and deportment on the part of the mother, in all her domestic concerns, is of equal, if not of more, importance than that of the father, as I have deprecated obscenity on the part of the latter, far more disgusting does it appear in the former, as their very sex endorses chastity and refinement.

Man when he blushes shows guilt, but in the female it is the brightest ensign of innocence and virtue. But when gossiping from house to house, scattering the firebrands of mischief, by relating in false colors and foul language every little incident or occurrence which she per chance may have collected through an unsuspecting neighbor, is a disgrace to her sex.

A mother at home, chaste at all times in her speech, modest in attire, and diligent in a well-timed systematic arrangement of her household, more nobly fills the station assigned to her, than Queen Victoria on her throne, or any other mother who personally neglects to perform almost every branch of house-keeping, even to the natural and honorable office of washing and dressing her own child.

It is said of Dr. Franklin, that on learning his sister's intention to change her state of celibacy, he promised when married to give her a very pretty present. The consummation of her marriage completed, soon directed her thoughts to the promised present from him whom she knew always held it a sacred duty to fulfil every engagement, so far as Providence would permit, and thus commenced to ask herself: "Can it be a set of golden ear-rings—a necklace—a finger-ring—a dress of chintz?" certainly not, these are too small and trifling to fill the measure of my brother's love and generosity; he intends no doubt to present me with a beautiful and costly set of silver plate, or else a splendid piano-forte.

The gift as promised, came, but oh! who can imagine

the chagrin and mortification of the sister, who wishing to appear fashionable in her newly married state, without any regard for economy or thought of industry, which would place her in competition with Roman Lucretia, or the sisters of the great Grecian Alexander, found her present a *spinning-wheel*.

CHAPTER VII.

“A WOMAN was not taken from a man’s head to rule him, or his feet to be trampled under foot, but from his side as a companion,” and none but an uncivilized Indian would wish to see his wife a beast of burthen, or literally a hewer of wood and drawer of water, still our daughters should early be practically trained to all domestic vocations for which a wife was originally intended, and should never be neglected so far at least, as a careful supervision is concerned, even where her husband has furnished or supplied ample proxies to perform the menial or laborious duties of her house.

And there is at the present day a very prevalent and fatal error; particularly practised by the wealthy and opulent in the education of their daughters. Theories upon theories embracing every art and science are crowded upon the mind while practice is but partially or wholly disregarded.

A young lady may read a book on chemistry, treating on the natural laws of the fermenting, ascetic, and putrid stages of vegetable matter—all very well; but without practice she would be apt to present her husband with but an indifferent or poor piece of bread. She may theoretically understand the action of an alkali on a fixed oil, yet be so ignorant of a practical experiment as to forbid even a thought towards collecting ashes when her servants make a fire, or save the refuse tallow when cleaning a candle-stick, whereby soap could be made with which to wash her own clothes.

A woman who does not practically understand the “*modus operandi*” by which her lixivium or soap-suds

acts upon the greasy plate with an after rinsing in cold water before dried by a suitable cloth, or to cleanse a dinner-pot in the same manner, is unfit for the married life, for however a liberal or kind husband may supply his wife with servants, without this practical knowledge she is incapable of detecting frauds committed by her domestics, and as a natural consequence must for ever prove to him but little better than a quean, if not ruinous to his interest, besides incapable to meet him in the hour of adversity, or in a reverse of fortune, so as to prove herself what nature's God intended—a help-mate. Believing mothers too often greatly err in neglecting domestic branches in the education of their daughters.

My readers may charge me with inconsistency, or directly contradicting myself, as in former pages of this book I have repudiated training up our children with no higher views than those generally emanating from kitchen scullions, or postillions; either office of which (as already stated), would be honorable when confined to the immediate vicinity of their own family; and I would even pass these bounds where necessity required, to prevent idleness, for an idle mind is one of the largest establishments in which his Satanic Majesty commences and finishes all his principal diabolical works.

Self-respect in a child is intimately connected with its future prosperity and success in business, and where it is trained to eat in the kitchen while the parents refresh themselves in the parlor with distinguished guests, that child in after life wishing to transact some business with a strange lady or gentleman of high distinction, would be more likely to knock at the kitchen than the parlor door.

Should the President of the United States, with all the members of his cabinet, accept an invitation to dine with a private gentleman and his lady, having a son and daughter not over seven years old; let the parents cause the children to be placed at the first table, if there is room, and it causes no infringement upon the comfort and happiness of their much respected guests, and the adoption of this course even in tenderer years of childhood, would not only enable the child in after life to practise and follow grace and dignity when forced to the table of genteel strangers, without the assistance of any parent to

counsel or direct them, but often prevent the infliction of wounds deep and mortifying to the feelings of their parents; and this latter point reminds me of an anecdote of two mothers, whom, for accommodation, I shall call Mrs. A, and Mrs. B. Mrs. A sends a written invitation to Mrs. B, requesting the company of herself and daughter Maria, aged three years, to tea, the following afternoon; the invitation was accepted, and the parties duly meet. Mrs. A announces the readiness of the table, and further requests Mrs. B to sit by and partake thereof; upon which Mrs. B, in a low whisper to her daughter (sitting in a small chair by her side), "Now Maria, like a good girl, sit quietly until mamma finishes her tea, and then you will be permitted also to come to the table." This charge was overheard by Mrs. A, who requested Maria's immediate presence at the table, declaring that "the company of the dear child formed not a small part of her anticipated and present happiness." Mrs. B assures Mrs. A that the child could just as well wait as not, until her seniors finished at the first table, adding further, that when at home she was seated at meal times with the second table. Mrs. A rejoins, and as a matter of favor, insisted on Maria's placing herself immediately at the table beside her mother; the invitation so strong, and with a desire to please, Maria takes her appointed station, and before a blessing could be asked she desired a cake, and putting immediate action to the word, seized one from off the plate, upon which her mother cried out, "Maria, put that cake down," and by force wrenched it from her hand.

This first scene closed, a second opened, by the child's thrusting its hand into a dish of preserved quinces, which she so managed as to drag in part, nearly midway on the table, embellishing or ornamenting the cloth by the saccharine drainings which she had attached to her fingers, when immersed in the preserve dish; upon which Mrs. B, losing all her usual and dignified patience, screams out, "dear me, why Maria, how you act; I never saw the child behave so before in my life." Poor woman, she had never taught her child when at home to behave otherwise. Having already hinted at some of the benefits arising from a proper domestic training of our daughters, so as not only to lead them in paths of industry, but

also in those of frugality (two sure roads to wealth). I am reminded of two brothers sharing in a large patrimony—marrying sisters of equal fortune. The younger brother, though not more industrious or frugal than the older, continued to thrive, while the elder, year after year grew poorer, and by virtue of legal executions was by sheriffs and constables stripped of all his movable property, even to the most common conveniences of life, besides a heavy mortgage on his farm. A field of about five acres which the elder brother had at the proper season sowed with wheat, was subsequently sold from him while growing in the ground, but privileged through the sympathy of a kind purchaser to reap and thresh out, reserving one-third of the grain for such labor. The season for gathering arrived, but having no team to collect the sheaves in the field and afterwards deposit them in his barn, he applied to his rich and younger brother for the loan of his team, who granted the request, on condition that he would first help him to finish his (younger brother's) harvest, which would take about four hours. No other alternative, the proposition was accepted, and the elder mounting a wagon drawn by two fine, noble horses, received the sheaves as pitched on by the younger; in the course of which labor the poor brother asked the other, how or whence arose such a difference in the prosperity of their temporal affairs, and received the following answer: "I intend personally, this afternoon, to assist you in gathering in your small crop of grain, which when finished shall clearly demonstrate the decline of your property."

It is a universal custom in the grain or hay harvests, he who pitches on the wagon is entitled to receive in the mow. According to this arrangement, after the elder brother had pitched up his last sheaf, he was requested by the younger to come up and see how the grain was stored, which being complied with, he found to his utter astonishment that there was not a sheaf in the barn. The elder passionately inquired where it was, whereupon the younger pleasingly replied, "brother, suffer not anger on this occasion to dwell in your bosom, all loss which my present course may occasion, shall be repaired by more than double in value."

"This morning when you applied for my assistance

you accompanied your request by expressing a surprise that as we had shared alike in patrimony, and were equally industrious, still, as I advanced in worldly wealth you grew poorer. I then promised to assign the true cause and to give this afternoon an ocular demonstration.

"As fast as you pitched up the sheaves I cast them out at the back window, and as fast as you bring in at the front door your wife wastes or casts it out at the back door. Many other reasons I could assign for the retrograde movements in your temporal affairs, one of which I discovered in passing, this afternoon, in your swill barrel several large pieces of bread and slices of meat were floating, whereas my wife saves all her stale bread (if wheat) for pudding, and although we do not scant our children, still, when they ask for bread and take more than they can, at the same time, prudently eat, instead of throwing their fragments into the swill barrel they are carefully preserved and laid before that child for its next meal; so in any other article of food, while the unhandled meat of the dinner table is placed away in a safe or pantry, appearing again at tea, in small slices as a relish, or else hashed next morning, not unfrequently with an underlaying of toasted bread. Our beverage, pure cold water, one of God's greatest and best gifts to man."

'Which always prepares us to meditate better,
And prepares our souls for better.

Regions than here.'

"Every member of our family has a regular fixed time in which to discharge his, or her, respective duties, whether arising from eating, sleeping, reading, recreation, or manual labor.

"While the merry whistle is heard in the fields, so in my house is the buzzing spinning-wheel; hence my granaries are richly stored, and my dwelling chambers present pile upon pile of homespun blankets and wearing apparel of the same kind.

"In connexion with early rising and exercise in the open air, our tables are almost entirely free from dainties which follow in the train of pastry, &c., and are not only expensive, but many articles in their very nature indigestible, and thereby enervating, instead of invigorating and strengthening, the human system.

"Hence we are all healthy, cheerful, and robust,

whereas your wife caused her table literally to groan with the fat of the land, partaking after dinner of a glass of wine, ale, or cider, which acting as an anodyne, stupifying both mental and physical energies, from which she recovers after a short nap of one or two hours, instead of, Lucretia-like, spending the same time at the spinning-wheel, or superintending her servants in the kitchen, who have been either gormandizing or else filling up the swill barrel, when not engaged in carrying off some pilfered article to a drunken father or mother, or poor dear relatives, too lazy to earn their own bread. Also your wife denies her sons, between the ages of five and twelve, to play out-doors, without shoes or stockings on, while mine (when the season will permit, and not at school, or otherwise properly employed) are along some part of the rill which passes both our dwellings, barefooted, with their trousers rolled up to their knees, carrying stones and sods to form a little dam, whereby to erect a micic forge, during which amusements I not unfrequently secretly steal a supervision, in order to detect and correct any foul language (if used).

“At an early hour in the evening all return home each, one properly cleaning himself, and after partaking of a bowl of bread, or mush and milk, are called round the family altar in worship to Almighty God, after which all retire to their respective places of rest during the remainder of the night, without any distribution of cakes or candies. And now, dear brother, I have affectionately and frankly answered your questions of this morning, wherein you asked for the cause of your constant decrease in property while I increased, and in order that you may hereafter more fully appreciate what I have just intended to convey, I close by mentioning to you an anecdote between a yankee sailor and a quaker. The former asked the latter for a new hat and what would be its price, the quaker replied, ‘\$4.’ The sailor rejoined by saying that was beyond its value and insisted on a reduction, but this was positively refused on the part of the quaker by saying, ‘Friend, as I live I cannot let thee have it less.’ The sailor shrewdly replied, ‘then haul in your sails as to extravagancy;’ upon which the quaker very good-naturedly handed him the hat, saying, ‘Friend, thee are welcome to the hat, as no one before has ever detected

what I really meant when I said, *As I live I cannot afford it less.*' Therefore, you and your family haul in your sails as to extravagance, and you will prosper equally with mine."

The careless, unguarded, and indifferent manner in which many parents daily express themselves before their children, has too often proved a source of deep affliction, for the speeches of men are generally like themselves; and not only from the fact that we are the beings of imitation and progression, but our very nature as children, believe what we see and hear in our parents, to be correct; hence fathers and mothers should be very guarded in all speeches, as heads of their family, and not quiet their consciences by an inexcusable opiate, that they merely spoke in a jest, and having alluded not only to speeches of foul and open vulgarity as indulged by the canaille of our land, but also too often by those considered as accomplished and refined in all their manners when enjoying the fashionable circle of equals in property, or superiors in every other rank or situation in life, but in presence of their servants or inferiors, (if the latter they have) cowardly as well as ungentlemanly or unlady-like; descend to language base and obscene, little thinking that although their children are not present, still a contaminating and blighting influence, as to morality, would reach their children, through a further unavoidable course with those very servants with whom an unchaste intimacy had placed them on equal rank with themselves.

Neither time, place, or disposition, prompts me to mention many of the foul speeches which parents too often indulge in before their children, or by refusing their personal, well-timed, chaste familiarities during seasons allotted for amusements, and thereby force them to mingle with low and ignorant servants; or else under a false pretence of getting rid of hinderances or annoyances by innocent prattle, thrust their children into the street, there to associate with others of the meanest order, whose speeches (to say nothing of idleness,) contaminate the very atmosphere they breathe; and much as we find to condemn in many practices of Southerners, still, to their credit, it must be acknowledged they are in many

respects superior to Northerners, in an early and proper training of their children.

Hence, their kitchens are at a distance from their dwellings, and as their climate denies the congregating of many children in one room, they spare no pains or money to place their offspring at home, under the auspices of teachers, who are not only learned and moral, but religious, for such are the beauties which spring from religion, that even irreligious parents prefer a moral instead of an immoral teacher to instruct their children.

In speaking of private or select schools, I wish not to be understood as yielding an unqualified assent, particularly where geographical barriers do not exist as to climate, as they always must more or less injure the general wheel of common district schools, which nursery will, under its proper head, receive further notice.

I have already intimated that a proper regard for myself, and a decent respect for the feelings of my readers, forbid even a partial detail of obscenities in speech, practiced by many fathers before their children, and (to the dishonor of their sex,) not a few mothers, which not only tend directly to poison the future growth of their offspring, but contaminate, by its contagious principles, more or less, the whole circle of society.

Still I beg leave to particularize one kind of vulgarity which not only renders the person loathsome and disgusting to every good and virtuous man, but sinful in the sight of a pure and holy God, who has declared in unequivocal language, that he who indulges therein shall not be held guiltless. I shall allude to profane swearing, on which an eminent writer (believed to be Blair), has drawn something like the following picture :

“Few evil habits are of more pernicious consequence, or are overcome with more difficulty, than that very odious one of profane swearing and cursing.

“It cannot be expected that the force of moral principles should be very strong upon any one who is accustomed upon every trifling occasion, and frequently without any occasion at all, to slight the precept and the character of the Supreme Being.

“When we have lost any degree of respect for the Author of our existence and the concerns of futurity, and can bring the most awful appellations into our slightest

conversation, merely by way of embellishing our foolish and, perhaps, fallacious narratives, or to give a greater force to our little resentments, conscience will soon lose its influence upon our minds.

"Nothing but the fear of disgrace, or a dread of human laws, will restrain any person addicted to common swearing from the most detestable perjury.

"For if a man can be brought to trifle with the most sacred things in his common discourse, he cannot, surely, consider it of more consequence when his interest leads him to swear falsely for his own defence or emolument.

"It is really astonishing how rootedly he afterwards adheres to it.

"People using only slight exclamations, and which seem hardly to carry the appearance of anything criminal, and so proceed on to others, until the most shocking oaths become familiar.

"And when once the habit is confirmed, rarely, if ever, is it eradicated, the swearer loses the ideas which are attached to the words he makes use of, therefore execrates his friend when he means to bless him, and calls God to witness his intention of doing things which he knows he has no thought of performing in reality.

"A young gentleman with whom I am intimately acquainted, and who possesses many excellent qualifications, but who is unhappily in a declining state of health, and evidently tending rapidly to the chambers of death, has been from his childhood so addicted to the practice of profane swearing in his common conversation that, even now, I am frequently shocked by his profaning the name of that Being before whom he must probably soon be obliged to appear.

"It must be exceedingly painful to a sensible heart, feeling for the best interest of a valuable friend, and otherwise an excellent acquaintance, to observe the person he so highly regards confirmed in such a shocking habit, even while standing in the most awful situation in which it is possible for a human creature to be placed.

"Almost every other vice affords its votaries some pretence of excuse, from its being productive of present pleasure, or affording a future prospect of advantage, but the profane swearer cannot even say he feels any satisfaction, that he hopes to meet with any benefit from the

foolish habit, for he is caught without any bait on the naked hook.

“Let them, then, who are addicted to this vice seriously consider how aggravating a guilt it is to offend the Deity continually, without having the least shadow of an excuse for so doing, and determine at once to regulate their conversation and conduct in such a manner as to ensure to themselves the permanent satisfaction which will result at the close of their life, from the reflection that they have erred no further from the rules of eternal justice than the common condition of humanity, in its present state, renders unavoidable, and that they endeavored, to the utmost of their power, to correct every error in their conduct when they have felt it condemned by the dictates of conscience.”

Not a few who indulge in the sinful practice of profane swearing, (to say nothing of its folly grammatically considered, aided and assisted by the father of crimes and wicked transgressions) attempt to justify themselves that they mean no harm, and can produce many passages from Holy Writ where swearing was introduced by the pure and upright in spirit. In the consummation of certain contracts, and in exhortation by the greatest of all the Apostles, it is true God confirmed his covenant with Abraham by an oath, not that he feared his bare promise would be doubted by the faith of the patriarch, but the solemnity and vast importance of the contract pleased our Creator to show Abraham by two immutabilities, that his word should be fully established, and further deposed it as an example for that seed in future, to practice in all ecclesiastical matters, or courts of jurisprudence, and never *in vain* intended for one moment to license an oath on small and trifling occasions in the sanctioning of sudden unnecessary ejaculations, as “Gracious God,” “Good Heavens,” or declarations too frequently made use of by children, such as “By Ginger,” “By Gum,” “By George,” “I’ll be dod darned,” are by many supposed perfectly innocent, but unless promptly checked in children by their parents, will lead to open and shocking profanity of a higher order.

Reverential conversation, preaching the word of divine truth, or leading in religious worship, privileges the naming of God, or any of his attributes; hence, Paul in

exhorting, 2d Corinthians, 1st Chap., verse 23, declares: "Moreover I call God for a record upon my soul, that to spare you I came not as yet unto Corinth."

Here the great Apostle assigns tenderness for his delay hitherto in visiting Corinth, and calls upon God as a witness for those feelings which otherwise would have justified severe and condign punishment; and those who dare pronounce this appeal as a justification for calling on the name of the Deity as a prop or support in trifling allegations, I neither crave their hearts nor their brains.

Although all persons indulging in sinful practices are heinous or offensive in the sight of good and virtuous men, still some are more to be dreaded than others, on account of the difficulty to unvail or expose their native deformity, and thereby avert those evils which more or less must flow through the best guarded and well regulated ranks of any society.

The liar, therefore, has even been considered a greater pest than the thief, for against the depredations of the latter we can in no inconsiderable degree fortify and secure ourselves by bolts and bars; but against the former we have no certainty of one moment's security, for the liar who has forfeited all confidence in his fellow man cannot be trusted or believed with safety even when he speaks the truth, and self-interest, which so powerfully directs every other reigning human passion, appears to have lost its force or influence on the lips of a liar, who not unfrequently evades the truth when it would have better subserved his interest. "Lying lips are an abomination to the Lord, but they that deal truly are his delight."—Prov. xii.: 22.

And so strong has the passion of lying influenced the conduct and career of some men, that not a few have attempted to offer "*Charity*" as an apology for this first great sin, as introduced in our world by his Satanic majesty, and at the present day practiced by all his votaries, saying it is constitutional, and therefore it cannot be avoided. When I say charity has entered this plea in behalf of the liar, I wish to be understood as giving the assertion from those of other lips, that of charity herself—whose unbounded love for everything that is good and excellent, constrains her to bear heavy burthens, still she can never shield or sanction a sin which is in direct

opposition to the very nature and essence of that being for whom she stands pre-eminently acknowledged as one of his brightest attributes.

CHAPTER VIII.

IN commencing this little work the author designed to base all his views directly or indirectly upon the Bible, without embracing any particular dogma or creed held at the present day by any sect or religious denomination, and although we find children at a very tender age practising and indulging in the awful sin of lying, I am constrained to believe that it is more the result of an improper training, or course growing out of natural reprobation.

The force of example is greatly increased by the tie of consanguinity or blood relationship; hence those practices which are pursued by parents (as named in a former part of this work,) are generally imitated by their children, without loss or diminution of strength, and fathers and mothers who do not at all times in their daily walk and conversation practice a scrupulous and sacred regard for truth, or on the contrary occasionally equivocating and prevaricating, must, as a natural consequence, kindle up an unhallowed passion for lying in the bosom of their offspring, which nothing but the grace of God could extinguish, although severe and condign punishment should be inflicted upon the little offender.

To better illustrate the baneful and pernicious consequence growing out of equivocations and prevarications by parents on the mind of their offspring, I beg leave to suppose a few not unusual cases as practiced particularly in cities or incorporated towns by the higher (as they would be styled) circle of society. Mrs. A, who in her domestic avocations, like the lark had sprightly hailed the morn, proposes, about 10 o'clock in the morning, to do herself the pleasure of calling on Mrs. B; the latter beholding from her window the arrival of the former, and conscious that not only her own dress, but almost every de-

partment of her household were in a disordered state from a want of seasonable attention, directs a son or daughter to go to the door and say, "Mrs. A, mamma is not in, just stepped out to do a little shopping." The child returns to its mother and informs her that her orders were obeyed and Mrs. A had left the door, upon which Mrs. B compliments her child's obedience, and declares although she was not out shopping it was so soon her intention to leave, that was the same thing as to be absent at the present time.

Again, a father who is in the habit of attending political caucuses, or drinking, getting himself often intoxicated at a late hour of the night, by too free a use of whiskey-punch around a billiard or card-table, has frequently, to his great annoyance, been disturbed in his sleep, about 10 o'clock in the morning, by one of his children stating that there was a gentleman down stairs in the parlor who wished to speak to him. "Say," says the half-recovered inebriate, "I am not at home." The child here, as before, obeys, conscientiously believing, from its improper training, that in so doing it but fulfills that commandment of the great apostle, which says, in Corinthians, 3d chapter, 20th verse, "Children obey your parents in all things, for this is well pleasing unto the Lord."

In presenting this sacred text to the eye of a child, the parent or guardian should so teach as to show that the apostle only alluded to such obedience as was in strict accordance with the divine will of our Heavenly Father, who cannot sanction, from his very nature, any statement which even approximates to falsehood, from the lips of any of his creatures. But to return to the earthly father now in question, whom, we will suppose, about two hours after issuing from his bed-room, rises from his couch, and from thence to his parlor or sitting-room, where not an unfrequent dialogue commences between himself and son, about ten years old.

FATHER.—Who was the gentleman desiring to see me, this morning?

SON.—Not able to say, sir.

FATHER.—Did you say to him, as by me directed, that I was not at home?

SON.—Yes, sir.

FATHER.—That was right; for I was not in to see him, and as I intend, after sipping a cup of coffee and partaking of a piece of toast, to walk down to the City Hotel, that will amount in substance as if I was out when he called.

I will barely mention one or two cases more of equivocations and prevarications by parents before their children, as practised in the country circles, out of hundreds which might be cited. Mrs. Doe sends her daughter, about eight years old, over to her neighbor, Mrs. Roe, at 4 o'clock in the afternoon, requesting the loan of about a quarter of an ounce of tea, which she would return tomorrow morning, from a pound she expected from Mr. Upham's store. The message is delivered by the little girl at the door, to one of Mrs. Roe's daughters, of a like age, or perhaps older, who promptly carries the same to her mother, who directs an answer to be returned that she had that very morning consumed the last grain contained in her canister. The daughter of Mrs. Roe, conscious that her father had just returned from the store with a fresh supply of tea, reminds her mother of the fact, who, whether arising from the want of punctuality on the part of the borrower, or a disposition not to accommodate, sternly directs her daughter to obey without further altercation, and what she had said about the emptiness of the canister was true, and as respects the fresh supply, that was not yet unpacked.

Fourthly, we will suppose a poor man endeavoring to cultivate half an acre of maize or Indian corn, and applying to a rich neighbor for one of his three horses wherewith to plow his small lot of growing corn, is assured by the wealthy neighbor that two of his horses were in use, and the third, old Jack, in leaping a certain fence last week, had severely scarified and bruised one of his fore legs, causing him not only to become very lame, but unfit for use, from all of which he regretted to say, he could not grant the request, and the poor man returned home in despair, regarding a seasonable attention to his maize.

The rich man had a son about seven years old present at the time the horse was requested and refused, and when the poor man was beyond hearing, addressed his father in a very feeling and tender manner, asking why he did not let the applicant have old Jack, as he knew

he had recovered from his lameness, and had worked him with ease for the last two days. The father replied that what he had said was true at the time, and even subsequent to the day on which the leg of the horse was afflicted.

The foregoing subterfuges are not merely the work of fancied imagination, but founded upon awful truths, which daily observation of the practices pursued by equivocating and prevaricating parents before their children, who, now on the line of progression, soon acquire a thirst for the most atrocious and abominable falsehoods, even to the perpetration of perjury.

Perhaps sufficient has been said under this head, but I beg leave to mention one other prolific source from which parents train up their children to become liars. I allude to the infliction of severe and condign punishment for an act generally understood by the term accident; a word defined by some lexicographers as "happening without a cause," while others contend that all acts of men are the direct and legitimate offspring of a procuring cause, or in other words, "a creating something." Without intending to place myself in the arena, or mere place of disputation, I simply wish to be understood as alluding to punishment of a child for breaking a plate, bowl, saucer, (not sasser) or cup—letting basins of milk fall out of its hands, or driving a horse and wagon down a precipice, severely wounding the former, and nearly destroying the latter; which act or acts, to suppose intentional, would be a tacit acknowledgment that the child was insane; it would be more charitable to believe the occurrence originated from carelessness or want of mature judgment, in which latter case it would have been far better for the parent to instruct the child how it might have been avoided, and in future prevent a similar occurrence—whereas, without such advice or counsel, a repetition might follow, and the child, from fear, tell a lie to screen itself from punishment.

In recommending here the withholding of the rod, I trust I shall not be understood after gentle means have proved unsuccessful.

And as many children, when arraigned under a charge of falsehood, substantially authenticated, criminate an innocent third person in hopes of obtaining an acquittal,

in such cases great prudence is necessary on the part of a parent or guardian to present affectionately to the mind of the child, the author and true character of all lies; who, although for a season may smile, and by deceitful art or dissimulation will obtain full possession of the human heart, still never ceases until he drags his victim down into the lowest shades of moral death, not only shunned and despised by every good and virtuous man, but rejected and condemned by the supreme Judge of all the earth.

As in those of riper years, so the child as it advances in the career of lying or any other sin, appears not altogether insensible of the stain and blot which it has fixed upon its character, and will, with no small degree of undue pride, deny the charge, following it up by a succession of other lies, as just named.

The pride here alluded to is not that noble emotion which springs from a guiltless conscience, but from a vitiated mind, rendered callous and insensible by the frequent indulgence in the odious sin of lying, or any other vice which corrodes or poisons the beautiful and exhilating stream flowing from a conscience void of offence.

And where a case occurs like the present, calling on the administrators of justice to inflict the rod, care must be taken not to continue its use too long at any one period, should the child still remain obstinate and unwilling to yield, in which case, after an affectionate assurance that punishment was inflicted from love, and not from caprice, it may not be unadvisable to let one or two hours elapse, in order that reason may have time to resume her office; but as the parent loves its child, never let the rod be wholly withdrawn until the desired cure is effected, notwithstanding perchance it may meet the disapprobation of some neighbor, and cause the outcry of cruelty; remembering Esop's fable of the man and his son, who endeavoring to please every one he met as to the true mode of conveyance, whereby he caused the animal to be drowned.

Speaking here of neighbors, I feel bound to assure my readers that I do not allude to the same characters as prefigured by our Saviour's parable of the Good Samaritan, but that class who take a greater delight in attending to the affairs of their neighbors than those of their own,

whereas, did they strictly attend to the latter, they would not only evince a greater love for their own children, but equally participate in the advantages of a certain down-easter, who in one year, declared he made two thousand dollars by attending to his own business, or rather fifteen hundred dollars by pursuing that course, and five hundred dollars by not meddling with the affairs of others.

One of the biographers of General George Washington, (believed to be Weims,) ascribes the origin and progress of this great patriot, statesman, and philanthropist's mind to his *natural abilities constantly guided by religion*, and so long as the history of his father's favorite cherry-tree and the little hatchet shall be familiar to the mind of not only present but unborn generations, so long will be discovered the early developments and love for *truth* by him who is emphatically styled the "*Father of his Country*."

As from a little matter great fires are often kindled it behooves parents to early check and correct all dispositions and propensities which may evince in their children an unhallowed passion for purloining the property of others, and having several heads yet to touch in the proper training of children, I must here, as to the sin of stealing, be brief, begging leave, however, to narrate the history of an unfortunate interesting English youth, aged nineteen years, who was some years since executed on the gallows for stealing a deer from a gentleman's park, that then being the penalty of violated law for such an offence. He requested permission from the executioner to whisper to his mother, who was standing in the midst of a thronged assembly near the scaffold; the death-warrant was examined, and found it would not expire under fifty minutes, consequently the humane officer granted the dying request, so qualifying it as not to exceed ten minutes. The mother, overwhelmed in tears, ascended the dreadful and awful platform, and while embracing once more, and for the last time, on the shores of mortality, her ill-fated offspring, with his mouth to her ear, a solemn silence pervaded every rank of the vast assembly, not solely arising from the imposingness of the scene, but in part from a noble and generous desire to give the mother a fair opportunity to distinctly hear, as she supposed, the dying words of her son; but awful to relate, as he disengaged himself from their united em-

brace, he brought her ear with him in his mouth, and disgorged it at his feet. The justly indignant assembly for such an unnatural, nay, most brutal act, instantly exclaimed, in vociferous voices, "Villain! villain! villain!"

The youth, after making several unsuccessful attempts, whereby he might obtain permission to speak a few words by way of self-justification, at last gained his point and the assembled multitude once more relapsed into their former state of profound silence, whereupon the young criminal addressed all the spectators in words nearly as follows :

"Fellow-mortals, I know you look on me as upon a wretch beset with ills and covered with misfortunes ; but be it known to you, that woman, whose ear I have just bitten off, has been the procuring cause of nearly all my sins and wicked transgressions, from the day of my accountability up to the present hour.

"The first theft I ever committed was at school, when only five years old, in stealing a little horn-book from one of my play-mates. I took it home and informed her by what 'ways and means' I had obtained it. She applauded me for my dexterity, and thus encouraged me step by step to steal pen-knives, balls and tops, to plunder orchards on the Sabbath-day, rob hen-roosts, &c., &c., which so increased my appetite for theft, as to grow with my age, stealing and pilfering every article on which I could lay my hands, whether convertible to use or not, until at last I was emboldened to steal the deer, for which I am now brought to this ignominious end ; whereas, had my mother, instead of secreting and encouraging my first theft, punished me, I might now not only have been enjoying the blessings of English liberty, but free from the stains and wounds of a guilty conscience, which accompanies my exit from time to eternity."

Fathers and mothers have you a son or daughter who occasionally steals or takes, without liberty, that which does not belong to it ? If you have, and see the article, however insignificant as to value, in the possession of your child, or when by a neighbor or stranger kindly informed of the fact, never give slumber to your eyes until you cause the child to return the stolen property to the owner and humbly ask forgiveness ; and should this course

prove insufficient to produce reformation, let not a false notion of parental love dissuade you from the use of the rod, and also be careful that your wounded pride does not prevent an immediate and cheerful investigation of any charge preferred against your child by a third person or in its presence insult your informer by declaring the complaint is unfounded, as your child was at home, at or near the very time the alleged theft was committed.

Parents are not only bound to provide for the bodies of their offspring, but also to protect and defend an unsullied character against the foul tongue of slanderers or calumniators, but by an unqualified denial on the part of a parent, or an attempt to screen the guilt on any charge of a misdemeanor preferred against its child, without first manifesting a desire to ascertain the truth or fallacy, can never fail in poisoning and corrupting the moral character of the child ere it reaches to the meridian of life, and like the English youth just named, if not for theft, for some more heinous crime, on a gallows, bring down the grey hairs of its parents with sorrow to the grave.

Although I have, in former pages of this work, hinted at some of the recreations of the Sabbath, still not sufficient to satisfy my own feelings, or meet a reasonable anticipation on the part of my reader.

Parents too often blinded by a false love for their children, and apparently ignorant of the first principles regulating a virtuous recreation, suffer their children on the Sabbath-day to pass through without a single word of pious instruction, or the reading of the Holy Bible, to say nothing of their invariable absence from God's house on the day which was made above all other days, or if any of these first two means of grace are observed, in a populous city too often not practised until after breakfast. The perusal of a newspaper in connection with almost an inanimate or snail-like course in washing, cleaning, and dressing their bodies before the church-bell rings.

Or if in the country, not until after the garden and fields have been explored, hog-holes stopped, and displaced rails of fences replaced; the day thus far spent, I will charitably grant to the heads of the family with the younger children, (one a babe, capable of making more noise than the minister and choir together,) the attendance on public worship, and after returning home again supply

the wants of their bodies, then lounge about the house, or on their respective couches sleep away the time, until it becomes necessary to feed their horses, cattle, or swine, while the elder daughters are gossiping from neighbor to neighbor, and their brothers either plundering fruit or nut-orchards, or else in the woods with a gun, searching for wild game, if not angling on the margin of some neighboring stream, near which may be heard the voices of many other young men engaged in the feats of ball-playing, or quoit-pitching; and all these desecrations are not unfrequently justified by parents, saying, "After the hard labor of six days, recreation was necessary for both body and mind."

And so bold have they become by violating the fourth commandment, that they will endeavor to justify their conduct by a perversion of that passage of holy writ which says: "The Sabbath was made for man, not man for the Sabbath." True, the Sabbath was made for man, because it was for him to enjoy and rest above all other days, and for his working beasts, such as horses and oxen, to have one day out of seven to rest as well as their masters. True, the Sabbath was bestowed upon man as a blessing, and by denying or forbidding all worldly employment, save acts of mercy and necessity—a blessing, because free from the great burden of worldly care, he becomes not only privileged to read the holy chart, but in public to listen to the voice of exposition, admonition, and instruction, as well as to meditate on the solemn scene which must close his earthly career.

Parents be careful; have you examined any passages of God's Word where your views are solely fixed to license a violation of God's great Ten Commandments? and that parent who neglects to train up his child to keep the Sabbath holy, has not only no claims to natural affection, but is unworthy the confidence of his fellow-man.

CHAPTER IX.

THERE is perhaps no evil that has proved itself so devastating, particularly in our land, to both body and soul, or destroyed more property with blasted expectations of fond and affectionate wives, to say nothing of loss of character, impoverished children, thronged alms-houses, crowded penitentiaries, and blood-stained scaffolds, than that produced by drunkenness; and as the confirmed habit or thirst for alcohol is not the growth of an hour or day, parents cannot be too careful in the early training of their children, to avoid the demoralizing draught even in its mildest or most innocent aspect, or for one moment, either in theory or practice, so instruct their children as to believe a little alcohol is good in its place, "*and it is not in its use but in its abuse that it is pernicious.*" A greater lie was not uttered by Satan when he deceived our mother Eve, and daily experience and observation has awfully proved the falsehood. In one sense alcohol may be considered good in its place, and that is where nature's God placed it, meat for his noblest creature, free in its native element from the perverted and poisoning hand of man. We not unfrequently leap into danger by following the customs and habits of others, and although the sideboard is greatly cleared from the sparkling wine, its existence is yet too prevalent, to say nothing of the stronger draught of brandy and water after dinner, which obnubilates or stupefies the ten pair of nerves spread over the stomach, and thereby retards a healthy digesting of our food, rather than its promotion. Mothers, too often, in the nursery prescribe and administer for an infant not a week old, "milk punch," "Godfrey's cordial," "paregoric," "laudanum," &c., the very tendency of which causes to inflame not only all the formations of the stomach and tender intestines, but also invades the more vital organs of the body besides, with an occasional use, for worms, of rue and tanzy bitters, all acting as so many pioneers in after life to the more copious draught of alcohol, when the unsuspecting victim, from his or her parent's false training, becomes a reeling and staggering swill-tub, a breathing corpse, a walking automaton, loathed

and despised even by himself. And that father or mother who says to a son, "I would rather follow you to an early grave than that you should become a drunkard," must set the example of total abstinence from all which intoxicates, for it is in vain to expect salutary tendencies from precept, in the absence of example.

The Washingtonian total abstinence pledge, though first embraced as it were yesterday, by the six reformed drunkards of Baltimore, has already filled the world with rejoicings, and however men may honestly differ in their opinions as to the course or true policy in further advancing this great cause, one fact is certain, which is, that God is the author and friend of temperance, and it must ultimately so triumph as to expel that monster from our land, which goes about, like the great enemy of man, as a roaring lion, seeking whom it may devour, and early prejudices with false imbibed notions as to what constitutes liberty, can only be expelled by the gracious means appointed by the great Sovereign of the world, the most prominent of which is moral suasion, in connection with the enlightening of the human mind, which latter has been so powerfully presented in an Essay by Thatcher Trall, M. D., of Brooklyn, and for which he received one hundred dollars, the prize awarded by the General Temperance Council of the City of New York, for the best Essay on Alcohol.

The duties and obligations of parents to their offspring are so numerous, as well as important, to undertake to enumerate all in detail would more than fill a thousand quarto pages, and I must here satisfy myself with only a slight glance at those not already herein mentioned or explained. A child may be trained to practice benevolence, and yet so taught as not to become sufficiently benevolent; or come up to the standard of its ability, or it may be so instructed as to give its alms or attention, as to act not only unjustly to itself, but others having legal prior claims. In order to train a child so as to secure friends, it must be taught to be friendly, and this reminds one of a question put by a Sabbath-school teacher to a little girl, who, being interrogated as to the cause why everybody loved her, replied: "I know not, sir, unless it is because I love everybody."

A child should be so trained as to early think for itself, and to argue and reason by the comparison of things, at the same time may become so inflexible or self-willed in its views, as to shut out wholesome instruction from strangers of riper years, if not subjected to ridicule, and this reminds me of a learned country gentleman, who, on visiting London, repaired to a museum, and on entering the first room, informed the proprietor that he had never before entered a depository of natural curiosities, upon which he was kindly furnished with a conductor, who, for politeness and attention, proverbially stood unrivalled in the city, where he always had his own way. As the country gentleman passed from one curiosity to another, and his own historical knowledge failing to fully satisfy, would ask information from his accompanying friend, who never failed to give a long yarn history, whether right or wrong. At last the gentleman's eye caught a very large and old sword, suspended upon the wall, and believing it was one worn by an ancient hero, asked what that sword intended to commemorate, and was very promptly and politely assured by his conductor that it was the one with which Balaam slew his ass. The visitor replied that Balaam did not strike his ass with a sword, but only wished he had one; upon which the conductor rejoined; "Well, sir, this is the same sword he wished."

And while a child is trained to become yielding and submissive, at the same time to be so taught as not to subscribe sycophantically to any doctrine, or contrary to the immutable laws of common sense, or manifest a pleasantness at the expense of truth; modesty, gentleness, mildness, and gratitude, are among the first roses gleaned from the infant nursery, and a child should never be permitted in a tone of high authority to command a servant or menial of the household, or demand a glass of water without prefixing the word *please*, which is a very little word, or to fail saying *thank you*, which two words are not very long, after the request is granted, and though a long article might be presented to my readers on the impropriety of permitting children to order the assistance of servants, on the most trivial occasions, when time and health both permitted the execution of the office by the party making the demand; still, let it suffice for the

present to say, that children should not only early be taught to help themselves, but all early buddings crushed which may savor of a cowardly disposition to tyrannise or domineer over those whom time, chance, or fortune, may have placed in their power, else that child may become, as Themistocles said on a certain occasion, pointing to a child, "That little boy you see there is the arbiter of all Greece, for he governs my mother, my mother rules me, I the Athenians, and the Athenians all other Greeks."

CHAPTER X.

PARENTS generally in our common district schools do not attach that importance which the subject demands in selecting a teacher who must more or less make his impress upon the tender minds of their children, not only in respect to the knowledge of letters, in connection with moral and religious deportment, but rather, in some instances, apparently wholly absorbed in inquiring the lowest salary or wages to be paid. It may be said that this question is the legitimate province of the trustees. To a certain extent, granted; but it rarely occurs that a teacher is hired without an extension of common courtesy by those officers, in inquiring generally the pleasure of those from whom they derive their trust.

Again, it may be urged that neither the trustees or parents have a right to object to anything which comes clothed with a written commission from an officer legally appointed to judge of his capability in point of literary attainments, as well as moral character; to a certain extent, true again; but no set of trustees or parents of any common school district are forced to employ a teacher merely because he is invested by town superintendent or school inspectors with such a certificate, and as far as possible, both trustees and parents should endeavor to know the man under whose auspices they are about to place their children, even if it subjects to a loss or participation of the public fund; but as this

knowledge is not always attainable, necessity obliges a strong reliance on the course pursued by law, and even from this source certificates are not unfrequently obtained as is a kiss, by favor, or those authorized to examine the candidate may have been elected by a convention, the majority of which, though honest, were as unenlightened in letters or the moral character of the nominee, as an ostler of whom I once heard, when interrogated, in the absence of other inmates, by a gentleman just arriving at an inn, what was the general news of the day, replied, that oats had risen in price, but straw had fallen.

I am an advocate in bringing all elections, as far as prudence will permit, direct to the people. But in selecting so important an officer as an inspector or superintendent of our common schools, I would recommend his appointment by a board of supervisors, dividing the county into four districts, each having a superintendent, with a salary of four hundred dollars per annum, whose exclusive attention, five days out of each week, would be confined to examining and superintending two schools each day, commencing and ending with either the morning or afternoon session, and when applicants, as teachers, are to be examined, let such examination take place before one of his schools, so arranged as to pass through the district in regular succession. This course would not only lead to something more than a regimental review, but would stimulate both teacher and child, and the cost would not exceed the present adopted course.

In connection with literary and moral attainments, a teacher should be selected who possesses *common sense*, *apt to teach*, *a male*, and very desirable, a father of one or more children. In giving preference to a male, I do not wish to be understood as excluding the female teacher, particularly if a mother, for I readily admit that there are at the present day many instructresses who eclipse the other sex as teachers, but as there are many points or principles involved in the education of a child which can only be collected or gathered from the great book-world, I have accordingly preferred the male teacher, whose position and sphere in life lead him more to mix with his fellow-men, than does the secluded, innocent, beautiful, and bashful walk of the female.

And in giving preference to a married man, the father

of one or more children, I do not wish to be so understood as wholly excluding the unmarried man, but merely intend to lay down as a general rule, that one who is a father would be more likely to understand the nature and disposition of a child, than he who has never attained to the high and responsible station of a parent, and consequently is very deficient in exercising the patience of Job, an indispensable requisite in the government of a school, where not only a variety of temperament is to be controlled, but also the whims and caprices of unthankful parents. Taking it for granted that we have a teacher properly qualified, it becomes necessary to furnish a convenient house in which he may discharge his duties, and as it not unfrequently happens, particularly in the winter season, that fifty or more scholars are daily found in attendance even in an obscure corner of the country, the building should not only be sufficiently capacious, substantially built, and so arranged with windows as to reflect light on every scholar in whatever position he may be placed, but also with two apartments so constructed as to enable the teacher to have an eye of supervision on both, and thereby one of the apartments, to be occupied by the larger and more advanced scholars, who, freed from unavoidable hindrances on the part of smaller and less advanced pupils, might profitably, in many cases, assist themselves. Writing-tables, with all the seats of the house, should be so constructed as to meet all sizes of children, with their feet conveniently touching the floor, and for that class mostly occupying but one position throughout all the hours of study a book-piece or support should be attached. In connection with this house at least half an acre of land should be attached for a general play-ground, with a ball-alley or court, for use as already before stated. About eighty rods from the school-house and play-ground should be erected a neat and convenient cottage, with two acres of land for the free use and occupancy of the teacher and his family. And in addition to all this it would be advisable, with plain seats or a small rostrum to prepare a place immediately over the school-room, with a separate entrance, in which the inhabitants of the district, of whatever name or sect, might occasionally meet for divine or public worship, without a subsequent annoyance to the teacher, by

the abuse to books or other derangements of his school furniture. At the season of the year requiring fire, the wood should be supplied by the employers, properly suited for use in an open stove or fire-place, and the building of such fire be performed by the teacher half an hour before breakfast, which meal finished, he should return to his school-room at least one hour previous to the regular time for opening the morning session, employing this hour in making and repairing pens from the goose-quill, for such scholars as are not capable to perform the work for themselves, with proper arrangement of all the writing-books, as to copies, with at least a reservation of twenty minutes in commencing to hear recitations from those who may attend before the school is called to order, as its progress may warrant, even from one not advanced beyond monosyllables to those seeking for the knowledge of rules governing arithmetic and English grammar.

A teacher, aside from his literary, moral, or religious attainments, must by his employers be furnished with necessary implements or tools whereby he may advantageously or properly discharge his duties—a knowledge of astronomy and geography not only proves useful to man in many of his intercourses with the world, but also gives him high and noble views of his Creator, which sciences cannot successfully be taught without the assistance of a celestial and terrestrial globe, both of which sufficiently large, can be purchased at the present day for less than twenty-five dollars, and although the sons of farmers and mechanics may never attain to all the high branches in mathematics, still they should be so instructed in surveying as to know for themselves when in after life purchasing a farm or any tract of land, whether the hired surveyor has made his survey and calculations correctly. To this end a surveying apparatus should be attached to every common district school, and an occasional practical illustration given by the teacher when the days are long, of one or two hours after the close of his afternoon session.

Complaints are at the present day very prevalent throughout almost every common district school by both teachers and employers as to books, and it is to be hoped the day is not far distant when these complaints will find

less foundation for their existence, by a prescribed order from the state superintendent of our common schools. Parents or employers complain of expense, from the fact that almost every new teacher requires a different set of books from those used by his predecessor—on the other hand, the teacher complains of his employers for furnishing books which are unfit to meet the capacities of their children, but also forbid a profitable progress in the great chain of learning. Besides, from variety, so annoying is the classification of his scholars, as to render twenty more perplexing and difficult to instruct than sixty otherwise furnished with a proper and uniform set of books.

Every scholar seeking improvement in writing, should be furnished with not less at any one time than six sheets of good foolscap paper, quarto folded, and secured by a cover; those in arithmetic with not less than two quires of similar paper, and alike covered; a third and fourth book, each two quires, six inches wide, and so ruled as to answer for a day-book and petty ledger, with a soft slate and pencil. Every writer, in addition to his paper, whether in arithmetic or not, should be furnished on commencing school with a plummet ruler, sponge, ink-stand, pen-knife, and a soft piece of fine muslin, four by six inches, the latter safely and conveniently fastened on the left outside of its desk, and six good goose-quills, free from hot water or the oven, which are to be handed over to the teacher, and used as common stock, either made or repaired; as already described, when the school is not in session; but in this advice, I would not wish to be so understood as withholding an early attention in instructing the pupil so as to make and mend his or her own pens from the quill, and never resort to the lazy introduction of a steel pen so long as a goose can be found. And in order to complete the school furniture, a water-pail, tin cup, broom, shovel and tongs, with a regular set of scales and weights, from half an ounce regularly increased to seven pounds, a small box containing half a bushel of dry sand and tin scoop, half a pound of wrapping twine, two quires of wrapping paper, a ball of narrow strips of cloth weighing about one pound, scissors, needle and thread, with a table three by six feet, and its margins containing the regular divisions or marks of the yard measure, and also a gallon keg filled with water, with a

suitable spigot affixed, three tin measures, gill, half pint, and pint, three one quart and three two quart earthen jugs, a peck of corn-cobs, a six quart tin pail, with a clean napkin, and lastly, about one hundred mimic coins, dressed or cut from slate, purporting to vary in value from a cent to a dollar. And as many of these articles are only occasionally to be used, care must be taken not only to prevent their injury, but also guard against becoming an incumbrance to the school. And as wealth and happiness are very desirable attainments in passing through the journey of life, the trustees of each school should cause to be suspended on the inner walls of their district school-house, four suitable frames with glasses, so arranged in their divisions, in a legible hand writing, as to exhibit daily to the eye of each scholar the following ninety-one proverbs or sayings of Solomon and Dr. B. Franklin :

1. Honor the Lord with thy substance, and with the first fruits of all thine increase ; so shall thy barns be filled with plenty, and thy presses shall burst out with new wine.

2. Give not sleep to thine eyes, nor slumber to thine eyelids.

3. Go to the ant thou sluggard, consider her ways and be wise : which having no guide, overseer, or ruler, provideth her meat in the summer, and gathereth her food in the harvest.

4. He becometh poor that dealeth with a slack hand : the hand of the diligent maketh rich.

5. As vinegar to the teeth, and as smoke to the eyes, so is the sluggard to them that send him.

6. A false balance is an abomination to the Lord, but a just weight is his delight.

7. When pride cometh, then cometh shame, but with the holy is wisdom.

8. He that is surety for a stranger shall smart for it ; he that hateth surety is sure.

9. There is that scattereth yet increaseth, and there is that withholdeth more than is meet, but it tendeth to poverty.

10. The liberal soul shall be made fat, and he that watereth shall be watered also himself.

11. He that trusteth in his riches shall fall, but the righteous shall flourish as a branch.

12. A virtuous woman is a crown to her husband, but she that maketh ashamed is as rottenness to his bones.

13. Lying lips are an abomination to the Lord, but they that deal truly are his delights.

14. The soul of the sluggard desireth and hath nothing, but the soul of the diligent shall be made fat.

15. There is that maketh rich yet hath nothing, there is that maketh himself poor yet hath great riches.

16. Wealth gotten by vanity shall be diminished, but he that gathereth by labor shall increase.

17. Hope deferred maketh the heart sick, but when the desire cometh it is a tree of life.

18. He that walketh with wise men shall be wise, but a companion of fools shall be destroyed.

19. A good man leaveth an inheritance to his children, and the wealth of the sinner is laid up for the just.

20. He that spareth the rod hateth his own son, but he that loveth him chasteneth betimes.

21. The poor is hated even of his own neighbors, but the rich hath many friends.

22. A soft answer turneth away wrath, but grievous words stir up anger.

23. Without counsel purposes are disappointed, but in the multitude of counsels they are established.

24. He that gathereth in summer is a wise son, but he that sleepeth in harvest is a son which causes shame.

25. The memory of the just is blessed, but the name of the wicked shall rot.

26. Riches profiteth nothing in the day of wrath, but righteousness delivereth from death.

27. A tale-bearer revealeth secrets, but he that is of faithful spirit concealeth the matter.

28. Though hand join in hand, the wicked shall not go unpunished, but the seed of the righteous shall be delivered.

29. As a jewel of gold in a swine's snout, so is a vain woman without discretion.

30. He that troubleth his own house shall inherit the wind, and the fool shall be servant to the wise of heart.

31. The lot is cast into the lap, but the whole disposing thereof is the Lord's.

32. A good man is better than precious ointment, and the day of one's death than the day of one's birth.

33. Whatsoever thy hand findeth to do, do it with thy might, for there is no work, nor device, nor knowledge, nor wisdom in the grave, whither thou goest.

34. By much slothfulness the building decayeth, and through idleness of hands the house droppeth through.

35. Fear God and keep his commandments, for this is the whole duty of man.

SOLOMON.

1. A word to the wise is enough, and many words won't fill a bushel.

2. Sloth, like rust, consumes faster than labor wears, while the used key is always bright.

3. Dost thou love life, then do not squander time, for that is the stuff life is made of.

4. Early to bed and early to rise, makes a man healthy, wealthy, and wise.

5. Take care of the pence, and the pounds will take care of themselves.

6. The sleeping fox catches no poultry, and there is sleeping enough in the grave.

7. Lost time is never found again, and what we call time enough proves little enough.

8. Sloth makes all things difficult, but industry all things easy.

9. He that rises late must trot all day, and shall scarcely overtake his business at night.

10. Drive thy business, and let not thy business drive thee.

11. He that lives upon hope will die fasting.

12. There are games without pains, then help hands I have no hands.

13. He that hath a trade hath an estate, and he that hath a calling hath an office of profit and honor.

14. At the industrious man's house hunger looks in, but durst not enter.

15. Industry pays debts, but despair increases them.

16. Diligence is the mother of good luck.

17. Plow deep, while sluggards sleep, and you will have corn to sell and keep.

18. Let not the sun look down and say, inglorious here he lies to-day.

19. Handle your tools without mittens, the cat in gloves can catch no mice.

20. Continued droppings wear a large stone.

21. By diligence and patience the mouse ate through the cable.

22. Small strokes fell great oaks.

23. Fly pleasures and they will follow you.

24. The diligent spinner has a large shift.

25. It is hard for an empty bag to stand upright.

26. Keep thy shop and thy shop will keep thee.

27. If you would have your business done, go, if not, send.

28. He that by the plow would thrive, himself must either hold or drive.

29. The eye of the master does more work than his hands.

30. Want of care does more damage than the want of knowledge.

31. Learning is to the studious, and riches to the careful, as well as power to the bold, and heaven to the virtuous.

32. If you would have a faithful servant, and one that you would like, serve yourself.

33. A fat kitchen makes a lean will.

34. What maintains one vice would rear two children.

35. Women, and game, and deceit, makes the wealth small and the want great.

35. Beware of little expense, a small leak sinks a large ship.

37. Waste not, want not.

38. Many a little makes a mickle.

39. Who dainties love, shall beggars prove.

40. Fools make feasts, and wise men eats them.

41. Silks, satins, scarlets, and velvets, put out the kitchen fire.

42. A plowman on his knees is higher than a gentleman on his legs.

43. If you would know the value of money, try and borrow some.

44. Who goes a-borrowing goes a-sorrowing.

45. Many without labor would live by their wits only, but they break for want of stock.

46. Not to oversee workmen is to leave them your open purse.

47. A man, if he knows not how to save as he gets, keeps his nose all his life to the grind-stone, and dies not worth a groat.

48. When women gad the house runs mad.

49. If you would be rich, think of saving as well as getting.

50. The Indies have not made Spain rich, because the outgoings are greater than her income.

51. Buy what thou hast no need of, and before long thou wilt sell thy necessities.

52. At a great penny-worth pause a while.

53. Wise men learn by others' harms, a fool scarcely by his own.

DR. B. FRANKLIN.

In speaking of the discipline or course to be pursued by a teacher in conducting and governing a school, I trust I shall not be so understood as actuated by a spirit of dictation, but rather that of humble suggestion, and taking it for granted that the hour 9 o'clock, A. M., Monday, has arrived, the teacher is to call his school to order, and so preserved throughout the morning session of three hours as to prevent anarchy or confusion, which desirable object may in no inconsiderable degree be secured by not only having a place for everything, but everything in its place; and also by the cordial co-operation of parents or guardians in instructing their children at home, not only to respect but promptly to obey, all reasonable and lawful commands of those under whose auspices they may respectively be placed as subjects for improvement; and as all sound knowledge and wisdom alone flows from our Heavenly Father, let the morning exercises of the school commence by reading a portion, at least one chapter, of the Bible, out of which blessed book we are assured springs or flows the healthful issue of life, and so far as the reading of the chapter may involve historical facts, let the teacher enlarge; but, in every instance, where the passage leads directly or indirectly to doctrinal or sectarian views, let it pass without note or comment, as

this is a reserved right or province of the parent or guardian. However desirable to have all our schools, seeking mental improvement, opened by prayer, and notwithstanding teachers may possess a certificate for moral character, still, not so far advanced in divine favor as in public to give courage or confidence to seek or ask a blessing direct from the throne of grace, or if he has the heavenly and divine implantation so fixed in his heart as to give full confidence in public prayer; still it is reasonable to suppose that in his early religious education he had been taught and conformed to favor some peculiar views of his own church, and thus, in his zeal, ask or admit those things which by many of his employers, equally honest with himself, were contrarily held, viewed, or understood, and thus innocently create such a schism or discord as to ultimately lead to the downfall or overthrow of his school. But by bringing before him in one class every scholar, from the understanding reader, down to the mechanical, or one just seeking the formation of words into sentences, and cause each scholar of the class alternately so to read a verse that the whole will pass twice around in a chapter, as already prescribed. As to note or comment no objection can reasonably be raised by any denomination professing the warmest and most scrupulous attachment for our holy religion, or even intimate a seed of injury while much good may be anticipated. The sacredness of the Bible, in connexion with many ungrammatical passages, render it an unsuitable standard as a common reading-book for any school farther than already herein named, when it should be laid aside for the remainder of the day, after a review by the whole class for such other books as shall or may have become the adopted or standard works for the use of our common schools, never forgetting that a spelling-book and a dictionary constitute no inconsiderable auxiliaries in extending the great chain of early progressive learning, a copy of which should be furnished each scholar, and the latter always to be consulted when occasion may require, whether in school or at home; next, the teacher should proceed to hear the tasks of such scholars as had not favored him with their attendance before 9 o'clock, commencing with one just entering his monosyllables, many words of which, although they are spelled differently and

have different significations, still are sounded alike, as *sife*, situation, *cite*, to summon, and *sight*, to see; and so up in recitation as to embrace English grammar, arithmetic, or other branches, as the pupil may be seeking information. And I would here remark, that the parent or guardian failing at home to assist the child in thoroughly committing to memory its morning task, offers a direct insult to the teacher, whose time during school hours should unavoidably be engrossed with other duties than those which can be performed by the pupil at home. The morning recitation closed, the teacher is to select one of his best scholars as an usher or assistant teacher for the day being, and immediately proceed in the presence of the usher to exercise a child yet in its alphabet or confined to the spelling-book.

No book to be employed in teaching a child its alphabet, the letters of which are to be made first by the teacher in sand, and the name of each given, and then followed or imitated by the child, commencing with the O. I, straight mark, b, d, p, q, and not until all the small letters are perfectly known is the child to have exhibited to its view the capitals or larger letters, which in similarity bears but little, if any, resemblance to the smaller letters; and this reminds me of a boy aged twelve years, who denied, through the parsimony of his parents, all participation in the science of letters, was, through the instrumentality of free schools, permitted to seek improvement as to scholastic matters, and the teacher showing him the large letter A, was commanded so to pronounce it, but did not comply until he had first remarked, "that's A, is it? it looks to me like our old dad's drag;" and the large letter B, he considered an ox yoke. The usher thus directed as to the plan or mode in teaching the young pupil, he is without the assistance of the teacher, to cause the child, in a low voice, to repeat the same lesson, until otherwise ordered, commencing with the first and ending on the last heard; and those who may have recited their morning tasks, and during the time occupied in exercising the young beginner, can employ the time in making themselves master or mistress of a column in the dictionary, which by all the readers, is to constitute a spelling lesson, at the close of the morning session. At, or about ten o'clock, the teacher is to deliver to each scholar, seek-

ing improvement in writing, a *blank* book (save a copy) with a proper pen in which the scholar is to occupy half an hour, with the occasional assistance of the teacher as to the position of his body and holding of the pen, which latter, should it require repair before the copy is finished, is to be placed in a box standing on the teacher's desk, marked "poor pens," and receive another, as the handwriting may require, from another box marked "repaired pens;" and as it is not probable that any one writer will exhaust his five supernumerary pens in finishing one copy, the teacher will be free from pen repairing during the hours of the morning session, and thereby enable him more profitably to direct and instruct his writing class during the assigned half hour, which, being closed, a recess of ten minutes, or absence be granted to all the girls, during which, let the teacher exercise a class of boys in arithmetic; the girls returned, let the same privilege be granted to the boys, and during their absence, let a class of girls in *arithmetic also be exercised*.

The school once more in full session, every reading class in advance of the spelling-book, should review their respective lessons, while the teacher again with the usher hears the recitations from his alphabetical and spelling-book pupils, testing the knowledge of orthography; in the latter with books closed, after which, the teacher will proceed to hear, in order, his respective higher reading classes, and endeavor in his own proper voice so to read, as to fix upon the minds of his class, the difference between an understanding and a mechanical reader, which can only be required by entering into the spirit and feeling of the author, by the knowledge of words in connexion with various defined marks of punctuation.

As these lessons are in order finished, let the knowledge of each scholar be tested in orthography by their books closed, from some of the most difficult words embraced in their lesson, with an examination of the whole subject; next, let all the writing books (and pens cleansed by means of the soft, fine piece of muslin already mentioned), be returned and placed on the teacher's desks; when, again, all the higher classes in reading will review the already pointed out column in the dictionary, during which time let the usher amuse his small pupils by exercising them in the multiplication table which can ad-

vantageously be performed notwithstanding they are only commencing to form syllables into words, and taking it for granted that we have twenty minutes left in arriving at the meridian of the day, let all scholars, not including the usher's class, appoint two captains who shall alternately select from the school his company, when the teacher shall proceed to test their knowledge in spelling, with closed dictionaries, out of the column already named, keeping an account as to which side not only correctly spelt, but defined the greatest number of words; during which time, the usher is again to exercise his alphabetical and spelling class.

CHAPTER XI.

From the 15th of April to the same day following in October, a recess or adjournment from twelve o'clock, M., till two o'clock, P. M., is to be granted to all the scholars, which will afford not only full time to refresh themselves by dinner, but also to engage in those sports of the open air, necessary for the health of both the body and the mind; the remaining six months of the year will only admit of one hour noon intermission, and under this arrangement the afternoon session is to commence by every scholar for fifteen minutes (not confined to the spelling-book), to quietly endeavor to inform itself as to its first reading lesson, which in every instance should not in length extend so as to prevent a consultation, or examination of the dictionary as to the meaning of words beyond its present powers to comprehend, and while this duty is performed, let the teacher, with his usher, commence the instruction of his juvenile classes, and so continue in order throughout the afternoon as pursued in the morning session. And as the classes proceed in regular order to read from No. 1 to 2, or more, as circumstances may require, let each up to the time of afternoon intermission apply him, or herself to the study of English grammar, a lesson in which should never be required without the teacher having first lectured in open school at least ten

minutes on the subject, in a plain and familiar manner; and while this method cannot otherwise than reasonably be supposed to benefit the young beginner, no injury can be sustained by those scholars not engaged for the time present in this all-important branch of English education; after having passed the afternoon intermission in the same order as that of the morning, let ten minutes be allowed to the first reading class in preparing for a second lesson, with such further time to all the other reading classes as may lapse by reaching them in a regular order. The second lessons read, all the grammarians who have passed through syntax, should be brought into one class and their knowledge tested (by parsing) as to the construction or formation of words into sentences.

All lessons, on whatever subject, should be short and thoroughly comprehended by the pupil before a new one is enjoined, which, to a great extent, may be accelerated by pleasing familiarity on the part of the teacher, so governed and directed, however, as not to lose sight of the dignified position in which he stands before his school, for familiarity in all the intercourses of man with his fellow man, unless very cautiously indulged in, lead to contempt, disrespect, and, consequently, loss of usefulness.

The exercises in the grammar-class closed, we may fairly suppose ourselves barely possessed of time to prepare for the general evening's spelling, which performed as in the morning session all scholars are to be dismissed at 5 o'clock, p. m., for their respective homes, except the detention one hour of four, when the days are at least twelve hours long, who write, and in arithmetic have passed compound division, for the purpose of transacting the business of a mimic or mock store, which is to be commenced by the introduction of the table, scales, weights, measures, &c., &c., as has already previously been directed. Two scholars as clerks and the teacher as principal, or owner of the store, are to stand at the margin of the table containing the yard measure with its sub-divisions, while the other two, on the opposite side of the table, are to represent applicants or customers for merchandize, and all for the best; if one is a girl, with a tin pail half-filled with chips and clean stones, secured on the top by a napkin or towel, the contents

represented as butter, and desires to know the then giving price ; the principal, or one of the clerks, replies 16 cts., upon which it would be in order for the owner of the butter to endeavor to obtain a higher price, and if nothing more, *pence instead of cents.*

The pail with the appendage and contents weighed, the supposed butter is to be deposited in a proper place of the cellar by one of the clerks, first minuting on a slate the weight, which we will suppose 7 lbs. 3 oz. and by the teacher explained as the gross, next the empty pail and cloth are to be weighed, which we will again suppose is 1 lb. 6 oz. and denominated tare, which subtracted from the gross leaves 5 lbs. 13 oz. net or true weight of butter, amounting at 16 cts. per pound to 93 cts., then we will further suppose the lady customer to have brought with her 6 1-4 lbs. of rags at 3 1-2 cts. per pound and by a rule in trade the seller entitled to the fraction when it is five or more mills, as to demand a cent, which will make the rags amount to 22 cts., and is to be placed under the amount of the butter, she lastly offers for sale 9 5-12 doz. eggs, which are accepted by the merchant at 10 cts. per doz., which gives 94 cts., the seller here losing the fraction, in conformity with the principle of trade just laid down which latter sum added to those of the butter, and rags makes \$2 09 cts., for which the lady customer is to receive goods from the store ; and, during the time occupied in ascertaining the true weight of the butter, rags, and number of eggs, with the several calculations as to value and amount, we will suppose the second clerk is attending to the gentleman customer, in measuring off cloths, cassimeres, muslins, &c., from the ball of narrow strips of cloth, in connexion with an occasional consultation as to the number of yards or quantity of cloth necessary for several defined garments, all of which as they are cut off are entered in the day-book with prices extended, and on which several purchases, we will further suppose, a payment (in state money) of about half, duly placed to his credit. But before the goods are delivered let a bill, setting forth each article, be made and handed to the customer, after which the clerk from his book names each article, and in one general bundle delivers the same to his customer, which from necessity to keep a mock appearance must be returned and properly sewed in

in strips on the ball; the lady then asks for 2 lbs. coffee, 12 cts. per lb. ; 7 lbs. rice, 56 cts. ; 3 1-2 lbs. brown sugar, 28 cts. ; 1-2 lb. hyson skin tea, 44 cts. per lb. ; 1-2 lb. young hyson, 75 cts. per lb. ; 1-2 lb. ginger, 12 cts. per lb. ; 3 lbs. cheese, 10 cts. per lb. ; 1-2 lb. starch, 9 cts. per lb. ; 2 oz. Scotch snuff, 31 cts. per lb., with an ounce of indigo at \$1 60 cts. per lb. ; all of which articles are to be obtained from the sand-box, and after being properly wrapped up in paper and secured with twine, a memorandum of each, with prices affixed, are to be placed on a slate, or a white piece of paper, and a bill presented to the customer showing the amount traded, \$2 27 cts., and leaving a balance due to the merchant of 18 cts., which if *as a balance* should be desired by the lady to be charged let the request be granted (if considered safe to trust), by transcribing under her name on the day-book all the articles, with extended prices, and then by giving credit in the same way for her barter, the balance will be made to appear in a form better calculated to secure future confidence than if charged as a balance. In this transaction the teacher is also to point out the scrupulous observance for justice in regard to fractions, first himself receiving the advantage and next granting it to the customer; and should molasses, vinegar, or other liquids be wanted, usually sold in retail stores, they are to be obtained from the water-keg, and measured in the tin measures already herein described, the gill to represent a pint, half-pint a quart, and pinta half-gallon, and delivered in the jugs, as also herein described, which we will now suppose as the property of the customer, with a gratuitous supply of corn-cobs to secure the same against loss, but the jugs are to be returned and once a week cleansed, with the keg, and fresh water supplied.

The teacher is also to give instructions as to the mode of executing receipts, and to point out the absurdity, upon its face stamped falsehood, practised by many knowing it to be wrong, wherein receipts not unfrequently commence, "Received, New York, &c.," which would make the recipient a greater giant than Hercules, or with a larger pocket than that worn by the venerable "Old Daddy Lambert." Again a receipt, although declared to be in full of all demands, is not conclusive nor bars the rectifying errors which may be subsequently as-

certained or found to exist, but the mentioned sum is no more than *prima facie* evidence, and where a settlement between parties involve an amount of \$100 let this sum be expressed, instead of \$1—, which is too frequently practised, even by those professing prudence and caution in all their business transactions: The drawing of promissory notes should also claim the attention of the teacher, and his pupils be informed as to a note, when negotiable and when not, when voidable and when not, and never to mention the name of the place in the note where it was given, by which means it is payable, when due, in any town, county, or state in the Union. This mimic or mock store is to continue every afternoon for five days in the week, and when the days are not twelve hours long, then from 8 to 9 o'clock, by candle-light; a new set of customers and clerks selected every day from his school, as before already herein directed, and after the day-book has received entries for five days let his scholars, in regular order, post the same in the ledger, under the name of the creditor, and simply setting forth merchandize, with not only the date and amount but also the page from whence it was taken in the day-book; these two books in ordinary country mercantile transactions will generally prove sufficient, yet in some cases a third (styled a blotter) is to precede the day-book, but a farmer or mechanic, not conducting an extensive business, requires, but one book denominated a daily ledger. And it may not be improper for a teacher to instruct his pupils in some of the important bearings connected with written articles of agreement, for instance A. and B. covenant and agree with each other to perform certain things, which either party failing to execute one hundred dollars is inserted as a penalty, yet, in seeking to recover this penalty by due course of law, no greater sum can be recovered than shall clearly be proved as growing out of the breach or non-fulfilment of any one, or all the covenants, but by simply stating in the written instrument that the parties have mutually agreed upon the one hundred dollars as stipulated damages, then neither court or jury, in law, have any province otherwise to determine.

Tuesday morning, school opens at the same hour and conducted throughout the day as on Monday, excepting the selecting of a new usher, and arithmetic substituted

for grammar. Wednesday, ditto, excepting grammar and arithmetic, supplying geography and astronomy, assisted by maps and the use of the globes.

Thursday all the branches as on Monday, Friday as on Tuesday, and on Saturday forenoon no writing except transcribing in the small blank book (provided for the purpose) ten of Solomon's and Franklin's proverbs already exhibited in the aforesaid four mentioned frames, and thus continued in order until the whole is not only transcribed, but committed to memory; after which, a short composition is to be enforced or exacted from all the large or more advanced scholars, selecting their own subject, and in two weeks next succeeding, receive a criticism on each composition from the teacher in open school; in connexion with his mark as first, second, and third best, for which shall be given by the teacher, thus entitled to the prize, a certificate, and at the end of six months those having the greatest number of these certificates, should have awarded by the trustees of the school, three premiums; No. 1, a silver medal weighing about half an ounce, suspended by about three quarters of a yard of green ribbon; on one side of the medal is engraved "Reward of Merit," and on the other, the name of the honored scholar, with the day, month, and year presented; the second prize to consist of a handsome and suitable book, costing at the bookseller's one dollar, and the the third less size book worth, at least, fifty cents, and in each of these books is a card to be placed, setting forth not only the name, but also the honored circumstances under which it was obtained. These three premiums will probably cost about three dollars, which with other minor quarterly gifts, consisting of one or two yards of ribbon, penknife, &c., can, by a little management on the part of the teacher, make *Santa Claus* foot the bill without impairing or causing any diminution in the minds of the scholars as to their teacher's generosity and love.

The president of the board of trustees is also to be honored with the presentation of the prizes to their respective owners in the name and behalf of the teacher, and after the medal is placed around the neck of the truly honored scholar, with the request to have it so worn successively for three Sabbaths, attending, if possible, to

divine worship in the morning at the Episcopal, or Church of England, afternoon the Presbyterian or Baptist order, and Methodist in the evening, and in after life ever to esteem it with pride and admiration, not surpassed by General Z. Taylor after the battle of Buena Vista; if possible, let all the parents of the scholars in the district be present in witnessing not only the presentation of the prizes, but also a general examination of the whole school, embracing vocal music, public speaking, &c., which two latter branches should be taught and practiced during the afternoon of every after Saturday; and if the teacher has a happy talent for singing, no objection to grant him ten minutes every other day during the week wherein to practice his school in the beautiful and much to be desired accomplishment, and through the course of the week the attendance of the teacher to one class, will enable many of the arithmeticians to form and correctly work out sums for themselves, and by a slight assistance, soon acquire a tasteful style in placing the same in a blank book already spoken of and provided. No arithmetician should be permitted to take any sum from a book until reaching Reduction as laid by Daboll, or even Dilworth's system, notwithstanding in the latter many typographical errors appear, and judged by a majority of the present generation as obsolete; in this recommendation, however, I do not discard all the systems of the present day in mental exercises on arithmetic, neither would I wish so to be understood as discountenancing the solution of any question preceding Reduction, as laid down by any author, but simply to declare that a child seeking improvement in arithmetic, should not enter Reduction before having thoroughly been made acquainted with the five fundamental rules, simple and compound Numeration, or Addition, Subtraction, Multiplication, and Division, and by examples of its own formation, shows that knowledge and conversancy without which it would be dangerous to advance. Children in pursuit of any branch of knowledge, should early be taught the difference between a science and an art; the former is a pursuit of the mind, hence astronomy and geography are sciences, as well as chemistry, botany, and mineralogy, &c., because they directly emanate from the hand of our Creator, without any human agency. And by our arts we gene-

rally suppose something produced or brought to light through the humble instrumentality of man, consequently English grammar is an art wherein man agrees to conform to certain rules and regulations by which he will not only be able to read and write, but speak correctly and be easily understood by his fellow-creatures. The exactions of written compositions as already suggested, will lead children to think for themselves, and thereby enable them in after life to discharge many important duties growing out of business transactions, one of which is letter writing, or in other words, a correspondence or conversation between parties at a distance from each other.

"*What shall I write?*" is a question not unfrequently asked by a child when commanded to open a correspondence with an intimate friend, or on business with an entire stranger, which should invariably receive the following answer: "Precisely what you would wish to communicate if enjoying an oral or personal conversation." Whereas, many at the present day, from whom better things should be expected, commence a letter by saying, "*I now sit down and take my pen in hand to inform you,*" &c., which although embracing two facts still unnecessary to mention and wholly immaterial to the party addressed, whether its correspondent sat or stood, and as to taking pen in hand, it would naturally be understood as not wielded or governed by the toes of the foot.

In letter writing, as well as other written instruments, correct spelling becomes very necessary and essential in connexion with the proper marks governing punctuation, else that which was intended for sense becomes nonsense, and that which was intended to convey truth, is changed into falsehood. And in speaking of false orthography, I am reminded of a young lady, who, having finished what she considered a complete education (though principally embracing the ornamental branches of embroidery, painting, music, and dancing), was desirous to communicate the same by letter to a much esteemed aunt, residing about a hundred miles off, commencing the inside address of her letter, "Deer Ant," which two words, standing directly connected, can bear no other construction than to make her beloved relative a "wild *pis-mire*," and for want of proper marks in punctuation, the writer may become as ridiculous as a young man,

who, being requested on a certain occasion to recite a speech contained in the tragedy of Douglass, commenced, "My name is Norvel on the Grampian Hills, we fought and conquered ere a sword was drawn," which conveys the idea that he had another name when not on the Grampian Hills, and fighting, and conquering before a sword was drawn, expresses a greater skill than usually attends warfare, or the success of combatants.

The discipline and course to be pursued by teachers in governing a school, though extended here at some length, is still far from embracing every particular, and while I have confined him, except practical illustrations in surveying, within the walls of his school-house, do not exonerate him from a general supervision as to deportment and behavior of his scholars in all outer walks not immediately under the eye of the parents or guardians. And as it will be further seen I have thrown, or imposed a heavy duty on the teachers, which, with the most faithful industry, cannot be discharged under eight and a half hours per day, and not even within this time without an early and punctual attendance on the part of the scholars, which can greatly be secured by the helping hand of parents or guardians; and as teachers of common schools are obliged to keep an accurate account of the number of days attended by each scholar, I would say in the language of an old and experienced teacher, "Punctual attendance at school is the great axletree upon which the wheel of education turns."

As to the emolument, or wages of a teacher, I have already secured to him a comfortable dwelling and two acres of land for a garden, with keep for a cow, to which I would add a quarterly payment in cash \$100, which will keep the teacher in such a state of good humor as to prevent what mothers dislike, the skinning of their children alive, or brains knocked out, and let them spare no pains in putting a stop to their husband's interrogations (when about employing a teacher), "What is the lowest you'll ax?" but give him and his family what has already been named, instead of a mere daily scanty pittance, or a dinner from off something more substantial and refreshing than a western breeze. When the last census was taken for the State of New York, (1845), there were one thousand five hundred and sixty-nine select, or private schools,

containing forty and four thousand, seven hundred and eighty-three pupils, and embracing as it is reasonable to suppose, the rich and the opulent, thereby greatly weakening the common district school, which then numbered ten thousand, seven hundred and seven, with four hundred and sixty-three thousand and sixty-nine scholars appearing on the teachers' list.

The wealthy, in common with all other citizens, have a right for honest purposes to expend their substance in whatever manner or way they may think proper, and, so long as the emolument does not exceed forty-five, or even fifty dollars per quarter, or the wages of a grubber, we never can expect our common schools to occupy a higher standard than they do at present; and it requires but one moment's reflection, to prove that a teacher worth one hundred dollars per quarter, is cheaper than one who only receives and gives an equivalent at the rate of fifty dollars per quarter. To better illustrate, I will suppose a farmer having a son fourteen years old attending school at two dollars per quarter, including his proportion of the public school fund, which tuition in one year amounts to eight dollars; but having unavoidably to retain for six months the services of his son on his farm, feels it a duty to repair the loss which the child has sustained by absence from his school, governed and directed by the low price teacher, who, I will further charitably grant imparted knowledge in the same ratio as he received his pay. To this end, for the balance of the year, a teacher is secured at four dollars per quarter per scholar, who gives or imparts to the child a double portion of knowledge, which, to the most sceptical calculator must, at least as to the services of the child prove a gain, without any loss of money, or increase of sum paid to the low price teacher.

The policy of our common school system is, as it were, purely agrarian, and as we have in this country no hereditary lords, dukes, or earls, it designs to render the son of the peasant so informed in letters and morality as to capacitate him for the highest gifts of a free and enlightened republic; and while perhaps I may have alarmed the poor man groaning under ponderous chains of adversity, in recommending a larger salary for teachers, I trust I shall not so be understood as wishing to pay any

teacher a sum beyond his actual worth. As it remains for me, in closing this little work, to suggest some plan whereby all our district schools can advantageously be made free, I hope I shall be so fortunate as to convince the most sceptical that a poor man can educate his children without directly or indirectly paying one cent or otherwise contributing, except a few day's labor by his hands in erecting a dwelling for the teacher. Except in cases of great exigency no government should impose a tax without the consent of the governed, and the mere fact that one man is rich does not license or privilege the poor man to impose burdens upon him, literally covering the crown of the head down to the soles of his feet, but where, in the providence of God, a man possesses the good things of this world, and from another they are withheld, he that hath should ever be willing to contribute a portion of that substance in advancing the general wealth or prosperity of his fellow-man. And as I have already observed in the commencement of this work, that if there is any one thing more anxiously to be looked for than another by the philanthropist, statesman, patriot, or Christian, it is the general diffusion of knowledge throughout our land, and firmly believing that this desirable dissemination can never be effected until our common schools shall become free, and with a view better to point out a plan, I present to the reader the following statistics from the State Superintendent of Common Schools, as contained in part of ex-Governor Wright's message to both branches of the New York State Legislature, January 6th, 1846.

"The distribution to be made annually to the common schools from the revenues of this fund is \$275,000, and this is upon the condition that the counties raise by tax a like sum for the like distribution, so that the sum of \$550,000 is in fact distributed to the common schools from the operation of the laws regulating this fund. To this amount the local funds possessed by various towns in the State, growing mostly out of lands originally reserved for the use of schools, have added \$20,000. Certain town haye, by the vote of their inhabitants, raised by tax upon themselves \$16,000, and there has been raised in cities under various special laws the further sum of \$200,000, so that the whole expenditure for the year

from these sources, upon the common schools and the district school libraries, has been \$786,000. Of this sum the amount paid for teachers' wages has been \$629,856 94, and the amount contributed on rate bills to pay teachers' wages has been \$458,127 78, showing an aggregate paid in the State to teachers of \$1,087,984 72. The whole number of organized school districts in the State is 11,018, and from 10,812 of these the superintendent of common schools has received reports in conformity to the law. These reports give the number of children in the districts between the ages of five and sixteen years at 690,914, and the whole number of children instructed in the common schools during the year at 736,045. They show, that of this last number 4,298 children have been taught during the whole year; 48,875 for ten months; 94,893 for eight months; 189,885 for six months; 337,000 for four months; 534,261 for two months and upwards; and 201,784 for less than two months."

To the foregoing statement add \$25,000 from the revenue of the United States deposit fund as granted in the adoption of the late constitution for the use of common schools, and we have, with all other resources named, a common school fund in round numbers of about six hundred thousand dollars, and should our legislature through respectful memorials, become convinced that a majority of their constituents were in favor of having all our common schools free, they would no doubt pass such a law, and the subject, constantly agitated, and kept alive by the people, would disarm all fear as to its repeal, though it is sincerely to be regretted that the late convention called to amend the Constitution of the State of New York, cast a vote different from what they did on the subject of free schools. But as we are bound to meet things as they exist, it remains for our Legislature to furnish an antidote for the poison inflicted by men who would rather give three dollars to a rich man who requires no assistance in keeping his son at an academy or seminary of higher learning, than the poor man who can scarcely so stem the current of pecuniary adversity as to make it difficult even to maintain his family, to say nothing of a support to a common country district school, from which nursery must first emanate or beam those lights of learning which illuminate and direct not only to the paths of our holy

religion and morality, but to the perpetuity of our liberties.

And if it is urged that a part of the present policy of our common schools permits the trustees to direct the teacher in making out his rate-bills to apply the whole of the public money on poor children, it will readily be seen that this discrimination involves not only an office of delicacy, but also one productive of jealousy; besides, in some districts the present sum of public money is not sufficient to pay the tuition of all the poor, but in addition to the present common school fund there should annually be raised \$1,500,000 by a fair and equal tax levied on the land and personal property throughout the State, which amounts to \$650,000,000. The per centum ratio will only require two mills and three-tenths, which would make all our common schools free, and while the poor man with no property has everything to gain, the one taxed with children would indirectly pay a mere nominal tuition to that of his present rate, and should those who have finished the education of their children complain of injustice, I would ask, has the tie of consanguinity been severed and no interest left for the welfare of their grandchildren, or does the miserly old bachelor writhe under this petty tax, declaring that he has no children? I would say to him the fact grows out of his own foolish choice or state of celibacy, and by a well-settled principle at common law "no man is to be benefitted by an act of his own folly," and should this argument be considered too weak to appease or reconcile the old Cœleb, I would say to him, as the innocent unfortunate (as to matrimony) rich maid, that the general diffusion of knowledge notwithstanding learned men are frequently the pimps of wickedness, is one of the best safeguards for securing the rights of man, among which are not least, life, liberty, and the pursuit of happiness, including, of course, protection of property, which latter is greatly secured by the prevention of crime and pauperism, two heavy drains upon the rich man's purse, and lessens in proportion as man become properly enlightened.

CHAPTER XII.

THE time and money expended on a child in the foregoing chapters should only be considered as so many preliminaries in directing to an after course of useful life, and, in the language of an ancient celebrated writer, "Rich or poor, strong or weak every idle citizen is a knave, and of all the occupations which serve subsistence to mankind, those which approach nearest to a state of nature are the manual arts; of all conditions of life, the most independent of fortune, or the caprices of mankind is that of the artisan. The artisan depends only on his own labor, he is as free as the husbandman is a slave, for the latter depends on the produce of his fields, which lies at the discretion of others. The enemy, the sovereign, a powerful neighbor, a law-suit, may run away with the crop which he has laboriously toiled for, he may be distressed a thousand ways by means of the local stability of his property; whereas, if an artisan be oppressed in one place, his baggage is easily packed up, he folds his arms about him, and disdainfully marches off to another. Agriculture is, nevertheless, the principal profession of mankind, it is the most honest, the most useful, and, of course, the most creditable in the world. I have no need to urge my son to apply himself to agriculture, it is already his study, every kind of rustic employment is familiar to him; his first application was to the labors of the husbandman, and it is in those he regularly exercises himself. I say to him, therefore, cultivate the lands thou inheriteth from thy fathers. But, it may be said, suppose this were to be lost,—or that a child had no paternal inheritance, what must he do then? learn a trade? My child learn a trade! make my son a mechanic! consider, sir, who you advise—I do, madame. I consider this matter better than you, who would reduce your child to the necessity of being a lord, a marquis, or a prince, or one day or other less than nothing. I am desirous of investing him with a title that cannot be taken from him, that will in all times and places command respect, and I can tell you, whatever you may think of

it, he will have fewer equals in this rank than in that he may derive from you.

"The letter destroys, and the spirit maketh alive. I would have him learn a trade, not merely for the sake of knowing how to exercise it, but that he may overcome the prejudices usually conceived against it. You will never be reduced, you say, to work for your bread ; so much the worse for you, I say, so much the worse.

"But no matter if you labor not for necessity, do it for reputation. To make fortune subservient to your will you must begin by rendering yourself independent ; to triumph in the opinion of the world, you must begin by deserving that opinion.

"Remember, I do not advise you to acquire a talent, but a mechanical art, in the exercise of which the hands are more employed than the head ; an art by which you will never get a fortune but may be enabled to live without one. I have observed that in families far enough removed from all appearance of wanting bread, a provident father is very anxious to furnish his children with various kinds of knowledge, that, at all events they might be capacitated to earn a subsistence. In doing this, also, such parents conceived they did a great deal in the way of making provision for their offspring in case of the worst accident.

"In this, however, they did nothing, because the resources with which they thus provided for their children, depended on the fame and good fortune of which they wanted to render themselves independent.

"Let us suppose you may have studied politics, and made yourself perfectly acquainted with the interest of princes, all this is very well ; but, what will you do with your knowledge if you do not know how to get access to ministers of State, have no patroness in a woman of quality, no interest with the commissioners of the several departments of the finances, if you have not the art of making yourself agreeable to them, or the baseness to do all the dirty business in which they might find you employment ?

"But, you are an architect, or painter, we will say ; it is very well, they are noble arts, but you must first make your abilities known to the public. Do you think to carry your point merely by exposing your designs at an

exhibition? No, no, this will not do, you must previously be admitted into the academy, you must be honored by the protection of the great, you must throw aside your pencil and rule, take a coach, and drive about from house to house.

“Are you desirous of teaching any of the arts and sciences you have learned, to be a teacher of geography, of the mathematics, of languages, of music, or design, to do this you must find scholars and, of course, advocates and puffers. I am, therefore, determined my son *shall* learn a trade, a creditable one to be sure, you will say; is not every employment creditable that is useful? I would not have him learn to be an embroiderer, a guildler, or a varnisher, like the fine gentlemen of Mr. Locke, I would have him neither a fiddler, a player, or a pamphleteer, I would confine him to nothing, I should much rather he would be a cobbler than a poet, that he should learn to pave the highway than enamel or paint flowers on-china; you will say, spies, bailiffs’ followers, and even hangmen, are useful people in their way; that they are so is the fault of the government, which might render them useless; but, to give up this point, I was indeed mistaken, it is not enough to fix on a trade useful to society, it should be such a one as not to require those who exercise it to be possessed of those detestable qualities of minds which are incompatible with humanity.”



APPENDIX.

DECLARATION OF INDEPENDENCE.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA, IN CONGRESS ASSEMBLED.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect of the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; and that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience has shewn that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpation, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world:

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations till his assent should be obtained ; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature ; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states ; for that purpose, obstructing the laws of naturalization of foreigners, refusing to pass others to encourage their migration thither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in time of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation.

For quartering large bodies of armed troops among us :

For protecting them, by a mock trial, from punishment, for any murders which they should commit on the inhabitants of these states :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us, in many cases, of the benefit of trial by jury :

For transporting us beyond seas to be tried for pretended offences :

For abolishing the free system of English laws in a neighboring province, establishing there an arbitrary government, and enlarging its boundaries so as to render it at once an example

and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress, in the most humble terms. Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of the attempts, by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain, is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which Independent States may of right

do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The forgoing declaration was, by order of Congress, engrossed and signed by the following members :

JOHN HANCOCK.

New-Hampshire.

Joseph Bartlett,
William Whipple,
Mathew Thornton.

Massachusetts Bdy.

Samuel Adams,
John Adams,
Robert Treat Paine,
Elbridge Gerry.

Rhode Island.

Stephen Hopkins,
William Ellery.

Connecticut.

Roger Sherman,
Samuel Huntington,
William Williams,
Oliver Wolcott.

New-York.

William Floyd,
Phillip Livingston,
Francis Lewis,
Lewis Morris,

New-Jersey.

Richard Stockton,
John Witherspoon,
Francis Hopkinson,
John Hart,
Abraham Clark.

Pennsylvania.

Robert Morris,
Benjamin Rush,
Benjamin Franklin,
John Morton,
George Clymer,
James Smith,
George Taylor,
James Wilson,
George Ross.

Delaware.

Cæsar Rodney,
George Reed,
Thomas M'Kean.

Maryland.

Samuel Chase,
William Paca,
Thomas Stone.

Charles Carroll, of
Carrolton.

Virginia.

George Wythe,
Richard Henry Lee,
Thomas Jefferson,
Benjamin Harrison,
Thomas Nelson, Jr.
Francis Lightfoot Lee,
Carter Braxton.

North Carolina.

William Hooper,
Joseph Hewes,
John Penn.

South Carolina.

Edward Rutledge,
Thomas Heyward, Jr.
Thomas Lynch, Jr.
Arthur Middleton.

Georgia.

Button Guinett,
Lyman Hall,
George Walton.

CONSTITUTION OF THE UNITED STATES.

WE, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SEC. 1.—All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. II.—1. The House of Representatives shall be composed of members chosen every second year, by the people of the several states; and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative: and until such enumeration shall be made, the state of *New Hampshire* shall be entitled to choose three; *Massachusetts* eight; *Rhode Island and Providence Plantations* one; *Connecticut* five; *New-York* six; *New Jersey* four; *Pennsylvania* eight; *Delaware* one; *Maryland* six; *Virginia* ten; *North Carolina* five; *South Carolina* five; *Georgia* three.

4. When vacancies shall happen in the representation from

any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SEC. III.—1. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and the third class, at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers and also a President pro-tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.

SEC. IV.—1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each state, by the legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. V.—1. Each house shall be judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller

number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SEC. VI.—1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest, during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech in debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States, shall be a member of either house, during his continuance in office.

SEC. VII.—1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill, which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States, if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, and if approved by two-thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill, shall be entered on the journals of each house respectively. If any bill shall not be returned by the President, within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress, by their adjournment, prevent its return; in which case it shall not be a law.

3 Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States : and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. VIII.—The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises ; to pay the debts and provide for the common defence and general welfare of the United States ; but all duties, imposts, and excises shall be uniform throughout the United States :

2. To borrow money on the credit of the United States :

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes :

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States :

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures :

6. To provide for the punishment of counterfeiting the securities and current coin of the United States :

7. To establish post-offices and post-roads :

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries :

9. To constitute tribunals inferior to the supreme court :

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations :

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

12. To raise and support armies ; but no appropriation of money to that use, shall be for a longer term than two years :

13. To provide and maintain a navy :

14. To make rules for the government and regulation of the land and naval forces :

15. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions :

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erec-

tion of forts, magazines, arsenals, dock-yards, and other needful buildings: And

18. To make all laws which shall be necessary and proper, for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof.

SEC. IX.—1. The migration or importation of such persons as any of the states, now existing, shall think proper to admit, shall not be prohibited by the Congress, prior to the year one thousand eight hundred and eight: but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or ex-post-facto law, shall be passed.

4. No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any state. No preference shall be given, by any regulation of commerce or revenue, to the ports of one state over those of another; nor shall vessels bound to or from one state, be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince, or foreign state.

SEC. X.—1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex-post-facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war, in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SEC. I.—1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :

2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress ; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [Annulled. See Amendments, art. 12.]

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes ; which day shall be the same throughout the United States.

5. No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office, who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of said office, the same shall devolve on the Vice-President ; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected ; and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation :—

“ I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States.”

SEC. II.—1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States : he may require the opinion in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices ; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators

present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. III.—1. He shall, from time to time, give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

SEC. IV.—1. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SEC. I.—1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SEC. II.—1. The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all other cases before mentioned, the supreme court shall have appellate juris-

diction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

SEC. III.—1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or confessions in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason, shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SEC. I.—1. Full faith and credit shall be given in each state, to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings, shall be proved, and the effect thereof.

SEC. II.—1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SEC. III.—1. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislature of the states concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations, respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

SEC. IV.—1. The United States shall guarantee to every state in this union, a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this constitution, or on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one, or the other mode of ratification may be proposed by the Congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof: and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land: and the judges in every state shall be bound thereby; any thing in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

1. The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON,
President and deputy from Virginia.

<i>New-Hampshire.</i>	<i>Pennsylvania.</i>	<i>Virginia.</i>
John Langdon, Nicholas Gilman.	Benjamin Franklin, Thomas Mifflin, Robert Morris,	John Blair, James Madison, Jr.
<i>Massachusetts.</i>	George Clymer, Thomas Fitzsimons,	<i>North Carolina.</i>
Nathaniel Gilman, Rufus King..	Jared Ingersoll, James Wilson, Gouverneur Morris.	William Blount, Rich'd. Dobbs Spaight, Hugh Williamson.
<i>Connecticut.</i>	<i>Delaware.</i>	<i>South Carolina.</i>
Wm. Sam'l Johnson, Roger Sherman.	George Reed, Gunning Bedford, John Dickerson,	John Rutledge, Charles C. Pinckney,
<i>New-York.</i>	Richard Bassett. Jacob Broom,	Charles Pinckney, Pierce Butler.
Alexander Hamilton.		
<i>New-Jersey.</i>	<i>Maryland.</i>	<i>Georgia.</i>
William Livingston, David Brearley, William Patterson, Jonathan Dayton.	James M'Henry, Daniel of St. Tho. Jenifer, Daniel Carrol.	William Few, Abraham Baldwin.

*Attest,*WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ART. I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ART. II.—A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ART. III.—No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ART. IV.—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ART. V.—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ART. VI.—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ART. VII.—In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact, tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ART. VIII.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ART. IX.—The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ART. X.—The powers not delegated to the United States by the

constitution, nor prohibited to it by the states, are reserved to the states respectively, or to the people.

ART. XI.—The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ART. XII.—1. The electors shall meet in their respective states, and vote by ballot, for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest number, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President.—But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes for Vice-President, shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

ART. XIII.—If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept or retain any present, pension, office, or emolument, of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

CONSTITUTION OF THE STATE OF NEW YORK.

ADOPTED NOVEMBER 3, 1846.

WE THE PEOPLE of the State of New-York, grateful to Almighty God for our Freedom, in order to secure his blessings, do ESTABLISH this Constitution.

ARTICLE I.

Section 1. No member of the State shall be disfranchised, or deprived of any of the rights or privileges, secured to any citizen thereof, unless by the law of the land, or the judgment of his peers.

Section 2. The trial by jury, in all cases in which it has been heretofore used, shall remain inviolate forever. But a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law.

Section 3. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State to all mankind; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

Section 4. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension.

Section 5. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel and unusual punishments be inflicted, nor shall witnesses be unreasonably detained.

Section 6. No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service; and the land and naval forces in time of war, or which this State may keep with the consent of Congress in time of peace; and in cases of petit larceny, under the regulation of the Legislature), unless on presentment or indictment of the grand jury; and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offence; nor shall he be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property without due process of law;

nor shall private property be taken for public use without just compensation.

Section 7. When private property shall be taken for public use, the compensation to be made therefor, when such compensation is not made by the State, shall be ascertained by a jury, or by not less than three commissioners appointed by a court of record, as shall be prescribed by law. Private roads may be opened in the manner to be prescribed by law; but in every case the necessity of the road, and the amount of all damage to be sustained by the opening thereof, shall be first determined by a jury of freeholders, and such amount, together with the expenses of the proceeding, shall be paid by the person to be benefited.

Section 8. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

Section 9. The assent of two-thirds of the members elected to each branch of the Legislature, shall be requisite to every bill appropriating the public moneys or property for local or private purposes.

Section 10. No law shall be passed, abridging the right of the people peaceably to assemble and to petition the government, or any department thereof, nor shall any divorce be granted, otherwise than by due judicial proceedings, nor shall any lottery hereafter be authorized, or any sale of lottery tickets allowed within this State.

Section 11. The people of this State, in their right of sovereignty, are deemed to possess the original and ultimate property in and to all lands within the jurisdiction of the State; and all lands the title to which shall fail, from a defect of heirs, shall revert, or escheat to the people.

Section 12. All feudal tenures of every description, with all their incidents, are declared to be abolished, saving however, all rents and services certain which at any time heretofore have been lawfully created or reserved.

Section 13. All lands within this State are declared to be allodial, so that, subject only to the liability to escheat, the entire and absolute property is vested in the owners according to the nature of their respective estates.

Section 14. No lease or grant of agricultural land, for a longer period than twelve years, hereafter made, in which shall be reserved any rent or service of any kind, shall be valid.

Section 15. All fines quarter sales, or other like restraints

upon alienation reserved in any grant of land, hereafter to be made, shall be void.

Section 16. No purchase or contract for the sale of lands in this State, made since the fourteenth day of October, one thousand seven hundred and seventy-five; or which may hereafter be made, of or with the Indians, shall be valid, unless made under the authority, and with the consent of the Legislature.

Section 17. Such parts of the common law, and of the acts of the Legislature of the colony of New York, as together did form the law of the said colony, on the nineteenth day of April, one thousand seven hundred and seventy-five, and the resolutions of the Congress of the said colony, and of the Convention of the State of New York, in force on the twentieth day of April, one thousand seven hundred and seventy-seven, which have not since expired, or been repealed or altered and such acts of the Legislature of this State as are now in force, shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all such parts of the common law, and such of the said acts, and parts thereof as are repugnant to this Constitution, are hereby abrogated; and the Legislature, at its first session after the adoption of this Constitution, shall appoint three commissioners, whose duty it shall be to reduce into a written and systematic code the whole body of the law of this State, or so much and such parts thereof as to the said commissioners shall seem practicable and expedient. And the said commissioners shall specify such alterations and amendments therein as they shall deem proper, and they shall at all times make reports of their proceedings to the Legislature, when called upon to do so; and the Legislature shall pass laws regulating the tenure of office, the filling of vacancies therein, and the compensation of the said commissioners; and shall also provide for the publication of the said code, prior to its being presented to the Legislature for adoption.

Section 18. All grants of land within this State, made by the King of Great Britain, or persons acting under his authority, after the fourteenth day of October, one thousand seven hundred and seventy-five, shall be null and void; but nothing contained in this Constitution shall affect any grants of land within this State, made by the authority of the said King or his predecessors, or shall annul any charters to bodies politic and corporate, by him or them made, before that day; or shall affect any such grants or charters since made by this State, or by persons acting under its authority, or shall impair the obligation of any debts contracted by this State, or individuals, or bodies corporate, or any other rights of property, or any suits, actions, rights of action, or other proceedings of courts of justice.

ARTICLE II.

Section 1. Every male citizen of the age of twenty-one years, who shall have been a citizen for ten days, and an inhabitant of

this State one year next preceding any election, and for the last four months a resident of the county where he may offer his vote, shall be entitled to vote at such election, in the election district of which he shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elective by the people ; but such citizen shall have been for thirty days next preceding the election, a resident of the district from which the officer is to be chosen for whom he offers his vote. But no man of color, unless he shall have been for three years a citizen of this State, and for one year next preceding any election shall have been seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all debts and incumbrances charged thereon, and shall have been actually rated and paid a tax thereon, shall be entitled to vote at such election. And no person of color shall be subject to direct taxation unless he shall be seized and possessed of such real estate as aforesaid.

Section 2. Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, of larceny, or of any infamous crime ; and for depriving every person who shall make, or become directly or indirectly interested in any bet or wager depending upon the result of any election, from the right to vote at such election.

Section 3. For the purpose of voting, no person shall be deemed to have gained or lost a residence, by reason of his presence or absence, while employed in the service of the United States, or on the high seas ; nor while a student of any seminary of learning ; nor while kept at any alms house, or other asylum, at public expense ; nor while confined in any public prison.

Section 4. Laws shall be made for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage hereby established.

Section 5. All elections by the citizens shall be by ballot, except for such town officers as may by law be directed to be otherwise chosen.

ARTICLE III.

Section 1. The legislative power of this State shall be vested in a Senate and Assembly.

Section 2. The Senate shall consist of thirty-two members, and the Senators shall be chosen for two years. The Assembly shall consist of one hundred and twenty-eight members, who shall be annually elected.

Section 3. The State shall be divided into thirty-two districts, to be called Senate Districts, each of which shall choose one Senator. The Districts shall be numbered from one to thirty-two inclusive.

District number one (1) shall consist of the counties of Suffolk, Richmond, and Queens.

District number two (2) shall consist of the county of Kings.

District number three (3), number four (4), number five (5), and number six (6), shall consist of the city and county of New York : and the board of supervisors of said city and county shall, on or before the first day of May one thousand eight hundred and forty-seven, divide the said city and county into the number of Senate Districts to which it is entitled, as near as may be of an equal number of inhabitants, excluding aliens and persons of color not taxed, and consisting of convenient and contiguous territory ; and no Assembly District shall be divided in the formation of a Senate District. The board of supervisors, when they shall have completed such division, shall cause certificates thereof, stating the number and boundaries of each district, and the population thereof, to be filed in the office of the Secretary of State, and of the clerk of the said city and county.

District number seven (7) shall consist of the counties of Westchester, Putnam, and Rockland.

District number eight (8) shall consist of the counties of Dutchess and Columbia.

District number nine (9) shall consist of the counties of Orange and Sullivan.

District number ten (10) shall consist of the counties of Ulster and Greene.

District number eleven (11) shall consist of the counties of Albany and Schenectady.

District number twelve (12) shall consist of the county of Rensselaer.

District number thirteen (13) shall consist of the counties of Washington and Saratoga.

District number fourteen (14) shall consist of the counties of Warren, Essex, and Clinton.

District number fifteen (15) shall consist of the counties of St. Lawrence and Franklin.

District number sixteen (16) shall consist of the counties of Herkimer, Hamilton, Fulton, and Montgomery.

District number seventeen (17) shall consist of the counties of Schoharie and Delaware.

District number eighteen (18) shall consist of the counties of Otsego and Chenango.

District number nineteen (19) shall consist of the county of Oneida.

District number twenty (20) shall consist of the counties of Madison and Oswego.

District number twenty-one (21) shall consist of the counties of Jefferson and Lewis.

District number twenty-two (22) shall consist of the county of Onondaga.

District number twenty-three (23) shall consist of the counties of Cortland, Broome, and Tioga.

District number twenty-four (24) shall consist of the counties of Cayuga and Wayne.

• District number twenty-five (25) shall consist of the counties of Tompkins, Seneca, and Yates.

District number twenty-six (26) shall consist of the counties of Steuben and Chemung.

District number twenty-seven (27) shall consist of the county of Monroe.

District number twenty-eight (28) shall consist of the counties of Orleans, Genesee, and Niagara.

District number twenty-nine (29) shall consist of the counties of Ontario and Livingston.

District number thirty (30) shall consist of the counties of Allegany and Wyoming.

District number thirty-one (31) shall consist of the county of Erie.

District number thirty-two (32) shall consist of the counties of Chautauque and Cattaraugus.

Section 4. An enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and the said districts shall be so altered by the Legislature, at the first session after the return of every enumeration, that each Senate District shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens, and persons of color not taxed; and shall remain unaltered until the return of another enumeration, and shall at all times consist of contiguous territory; and no county shall be divided in the formation of a Senate district, except such county shall be equitably entitled to two or more Senators.

Section 5. The members of Assembly shall be apportioned among the several counties of this State, by the Legislature, as nearly as may be, according to the number of their respective inhabitants, excluding aliens, and persons of color not taxed, and shall be chosen by single districts.

The several boards of supervisors in such counties of this State, as are now entitled to more than one member of Assembly, shall assemble on the first Tuesday of January next, and divide their respective counties into Assembly districts equal to the number of members of Assembly to which such counties are now severally entitled by law, and shall cause to be filed in the offices of the Secretary of State and the clerks of their respective counties, a description of such Assembly districts, specifying the number of each district and the population thereof, according to the last preceding State enumeration, as near as can be ascertained. Each Assembly district shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens and persons of color not taxed, and shall consist of convenient and contiguous territory; but no town shall be divided in the formation of Assembly districts.

The Legislature, at its first session after the return of every enumeration, shall re-apportion the members of Assembly among the several counties of this State, in manner aforesaid, and the

boards of supervisors in such counties as may be entitled, under such re-apportionment, to more than one member, shall assemble at such time as the Legislature making such re-apportionment shall prescribe, and divide such counties into Assembly districts, in the manner herein directed; and the apportionment and districts so to be made, shall remain unaltered until another enumeration shall be taken under the provisions of the preceding section.

Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of the Assembly, and no new county shall be hereafter erected, unless its population shall entitle it to a member.

The county of Hamilton shall elect with the county of Fulton, until the population of the county of Hamilton shall, according to the ratio, be entitled to a member.

Section 6. The members of the Legislature shall receive for their services a sum not exceeding three dollars a day, from the commencement of the session; but such pay shall not exceed in the aggregate three hundred dollars for per diem allowance, except in proceedings for impeachment. The limitation as to the aggregate compensation shall not take effect until the year one thousand eight hundred and forty-eight. When convened in extra session by the Governor, they shall receive three dollars per day. They shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting, on the most usual route. The speaker of the Assembly shall, in virtue of his office, receive an additional compensation equal to one-third of his per diem allowance as a member.

Section 7. No member of the Legislature shall receive any civil appointment within this State, or to the Senate of the United States, from the Governor, the Governor and Senate, or from the Legislature, during the term for which he shall have been elected; and all such appointments, and all votes given for any such member, for any such office or appointment, shall be void.

Section 8. No person being a member of Congress, or holding any judicial or military office under the United States, shall hold a seat in the Legislature. And if any person shall, after his election as a member of the Legislature, be elected to Congress, or appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

Section 9. The elections of Senators and members of Assembly, pursuant to the provisions of this Constitution, shall be held on the Tuesday succeeding the first Monday of November, unless otherwise directed by the Legislature.

Section 10. A majority of each house shall constitute a quorum to do business. Each house shall determine the rules of its own proceedings, and be the judge of the elections, returns, and qualifications of its own members, shall choose its own

officers; and the Senate shall choose a temporary president, when the Lieutenant-Governor shall not attend as president, or shall act as Governor.

Section 11. Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days.

Section 12. For any speech or debate in either house of the Legislature, the members shall not be questioned in any other place.

Section 13. Any bill may originate in either house of the Legislature, and all bills passed by one house may be amended by the other.

Section 14. The enacting clause of all bills shall be "The people of the State of New York, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

Section 15. No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the Legislature, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal.

Section 16. No private or local bill, which may be passed by the Legislature, shall embrace more than one subject, and that shall be expressed in the title.

Section 17. The Legislature may confer upon the boards of supervisors of the several counties of the State, such further powers of local legislation and administration as they shall from time to time prescribe.

ARTICLE IV.

Section 1. The executive power shall be vested in a Governor, who shall hold his office for two years: a Lieutenant Governor shall be chosen at the same time, and for the same term.

Section 2. No person, except a citizen of the United States, shall be eligible to the office of Governor; nor shall any person be eligible to that office, who shall not have attained the age of thirty years, and who shall not have been five years next preceding his election, a resident within this State.

Section 3. The Governor and Lieutenant Governor shall be elected at the times and places of choosing members of the Assembly. The persons respectively having the highest number of votes for Governor and Lieutenant Governor, shall be elected; but in case two or more shall have an equal and the highest number of votes for Governor, or for Lieutenant Governor, the two houses of the Legislature, at its next annual session, shall, forthwith, by joint ballot, choose one of the said persons so having an equal and the highest number of votes for Governor, or Lieutenant Governor.

§ Section 4. The Governor shall be commander-in-chief of the military and naval forces of the State. He shall have power to convene the Legislature (or the Senate only) on extraordinary occasions. He shall communicate by message to the Legislature, at every session, the condition of the State, and recommend such matters to them as he shall judge expedient. He shall transact all necessary business with the officers of government, civil and military. He shall expedite all such measures, as may be resolved upon by the Legislature, and shall take care that the laws are faithfully executed. He shall, at stated times, receive for his services a compensation to be established by law, which shall neither be increased nor diminished after his election and during his continuance in office.

Section 5. The Governor shall have the power to grant reprieves, commutations and pardons after conviction, for all offences, except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to such regulation as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he shall have power to suspend the execution of the sentence, until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall annually communicate to the Legislature each case of reprieve, commutation or pardon granted; stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon, or reprieve.

Section 6. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of a military force thereof, he shall continue commander-in-chief of all the military force of the State.

Section 7. The Lieutenant-Governor shall possess the same qualifications of eligibility for office as the Governor. He shall be president of the Senate, but shall only have a casting vote therein. If during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President of the Senate shall act as Governor, until the vacancy be filled, or the disability shall cease.

Section 8. The Lieutenant-Governor shall, while acting as such, receive a compensation which shall be fixed by law, and which shall not be increased or diminished during his continuance in office.

Section 9. Every bill which shall have passed the Senate and Assembly, shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it; but if not, he shall re-

turn it with his objections to that house in which it shall have originated; who shall enter the objections at large on their journal and proceed to re-consider it. If after such re-consideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections to the other house, by which it shall likewise be re-considered; and if approved by two-thirds of all the members present, it shall become a law, notwithstanding the objections of the Governor. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return; in which case it shall not be a law.

ARTICLE V.

Section 1. The Secretary of State, Comptroller, Treasurer, and Attorney-General shall be chosen at a general election, and shall hold their offices for two years. Each of the officers in this Article named (except the Speaker of the Assembly), shall at stated times during his continuance in office, receive for his services, a compensation, which shall not be increased or diminished during the term for which he shall have been elected; nor shall he receive, to his use, any fees or perquisites of office, or other compensation.

Section 2. A State Engineer and Surveyor shall be chosen at a general election, and shall hold his office two years, but no person shall be elected to said office who is not a practical engineer.

Section 3. Three Canal Commissioners shall be chosen at the general election which shall be held next after the adoption of this Constitution, one of whom shall hold his office for one year, one for two years, and one for three years. The Commissioners of the Canal Fund shall meet at the Capitol on the first Monday of January, next after such election, and determine by lot which of said Commissioners shall hold his office for one year, which for two, and which for three years; and there shall be elected annually thereafter, one Canal Commissioner, who shall hold his office for three years.

Section 4. Three Inspectors of State Prisons shall be elected at the general election which shall be held next after the adoption of this Constitution, one of whom shall hold his office for one year, one for two years, and one for three years. The Governor, Secretary of State, and Comptroller, shall meet at the Capitol on the first Monday of January next succeeding such election, and determine by lot which of said Inspectors shall hold his office for one year, which for two, and which for three years; and there shall be elected annually thereafter one Inspector of State Prisons, who shall hold his office for three years; said Inspectors shall have the charge and superintend-

ence of the State Prisons, and shall appoint all the officers therein. All vacancies in the office of such Inspector shall be filled by the Governor, till the next election.

Section 5. The Lieutenant-Governor, Speaker of the Assembly, Secretary of State, Comptroller, Treasurer, Attorney-General and State Engineer and Surveyor, shall be the Commissioners of the Land-Office.

The Lieutenant-Governor, Secretary of State, Comptroller, Treasurer, and Attorney-General, shall be the Commissioners of the Canal Fund.

The Canal Board shall consist of the Commissioners of the Canal Fund, the State Engineer, and Surveyor, and the Canal Commissioners.

Section 6. The powers and duties of the respective boards, and of the several officers in this Article mentioned, shall be such as now are or hereafter may be prescribed by law.

Section 7. The Treasurer may be suspended from office by the Governor, during the recess of the Legislature, and until thirty days after the commencement of the next session of the Legislature, whenever it shall appear to him that such Treasurer has, in any particular, violated his duty. The Governor shall appoint a competent person to discharge the duties of the office, during such suspension of the Treasurer.

Section 8. All offices for the weighing, gauging, measuring, culling or inspecting any merchandise, produce, manufacture or commodity whatever, are hereby abolished, and no such office shall hereafter be created by law; but nothing in this section contained, shall abrogate any office created for the purpose of protecting the public health or the interests of the State in its property, revenue, tolls, or purchases, or of supplying the people with correct standards of weights and measures, or shall prevent the creation of any office for such purposes hereafter.

ARTICLE VI.

Section 1. The Assembly shall have the power of impeachment, by the vote of the majority of all the members elected. The court for the trial of impeachments, shall be composed of the President of the Senate, the Senators, or a major part of them, and the judges of the court of appeals, or the major part of them. On the trial of an impeachment against the Governor, the Lieutenant-Governor shall not act as a member of the court. No judicial officer shall exercise his office after he shall have been impeached, until he shall have been acquitted. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try the impeachment, according to evidence; and no person shall be convicted, without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold and enjoy any office of honor, trust or profit under this State; but the party impeached shall be liable to indictment, and punishment according to law.

Section 2. There shall be a Court of Appeals, composed of eight judges, of whom four shall be elected by the electors of the State for eight years, and four selected from the class of Justices of the Supreme Court having the shortest time to serve. Provision shall be made by law for designating one of the number elected, as chief judge, and for selecting such Justices of the Supreme Court, from time to time, and for so classifying those elected, that one shall be elected every second year.

Section 3. There shall be a Supreme Court having general jurisdiction in law and equity.

Section 4. The State shall be divided into eight judicial districts, of which the city of New York shall be one; the others to be bounded by county lines and to be compact and equal in population as nearly as may be. There shall be four Justices of the Supreme Court in each district, and as many more in the district composed of the city of New-York, as may from time to time be authorized by law, but not to exceed in the whole such number in proportion to its population, as shall be in conformity with the number of such judges in the residue of the State in proportion to its population. They shall be classified so that one of the justices of each district shall go out of office at the end of every two years. After the expiration of their terms under such classification, the term of their office shall be eight years.

Section 5. The Legislature shall have the same powers to alter and regulate the jurisdiction and proceedings in law and equity, as they have heretofore possessed.

Section 6. Provision may be made by law for designating, from time to time, one or more of the said justices, who is not a judge of the court of appeals, to preside at the general terms of the said court to be held in the several districts. Any three or more of the said justices, of whom one of the said justices so designated shall always be one, may hold such general terms. And any one or more of the justices may hold special terms and circuit courts, and any one of them may preside in courts of oyer and terminer in any county.

Section 7. The judges of the court of appeals and justices of the supreme court shall severally receive at stated times for their services a compensation to be established by law, which shall not be increased or diminished during their continuance in office.

Section 8. They shall not hold any other office or public trust. All votes for either of them, for any elective office (except that of justice of the supreme court, or judge of the court of appeals), given by the Legislature or the people, shall be void. They shall not exercise any power of appointment to public office. Any male citizen of the age of twenty-one years, of good moral character, and who possesses the requisite qualifications of learning and ability, shall be entitled to admission to practise in all the courts of this State.

Section 9. The classification of the justices of the supreme court; the times and place of holding the terms of the court of appeals, and of the general and special terms of the supreme court within the several districts, and the circuit courts and courts

of oyer and terminer within the several counties, shall be provided for by law.

Section 10. The testimony in equity cases shall be taken in like manner as in cases at law.

Section 11. Justices of the supreme court and judges of the court of appeals, may be removed by concurrent resolution of both Houses of the Legislature, if two-thirds of all the members elected to the Assembly and a majority of all the members elected to the Senate, concur therein. All judicial officers, except those mentioned in this section, and except justices of the peace, and judges and justices of inferior courts not of record, may be removed by the Senate on the recommendation of the Governor; but no removal shall be made by virtue of this section, unless the cause thereof be entered on the journals, nor unless the party complained of, shall have been served with a copy of the complaint against him, and shall have had an opportunity of being heard in his defence. On the question of removal, the yeas and noes shall be entered on the journals.

Section 12. The judges of the court of appeals shall be elected by the electors of the State, and the justices of the supreme court by the electors of the several judicial districts, at such times as may be prescribed by law.

Section 13. In case the office of any judge of the court of appeals, or justice of the supreme court, shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor, until it shall be supplied at the next general election of judges, when it shall be filled by election for the residue of the unexpired term.

Section 14. There shall be elected in each of the counties of this State, except the city and county of New York, one county judge, who shall hold his office for four years. He shall hold the county court, and perform the duties of the office of surrogate. The county court shall have such jurisdiction in cases arising in justices' courts, and in special cases, as the Legislature may prescribe; but shall have no original civil jurisdiction, except in such special cases.

The county judge, with two justices of the peace to be designated according to law, may hold courts of sessions, with such criminal jurisdiction as the Legislature shall prescribe, and perform such other duties as may be required by law.

The county judge shall receive an annual salary, to be fixed by the board of supervisors, which shall be neither increased nor diminished during his continuance in office. The justices of the peace, for services in courts of sessions, shall be paid a per diem allowance out of the county treasury.

In counties having a population exceeding forty thousand, the Legislature may provide for the election of a separate officer to perform the duties of the office of surrogate.

The legislature may confer equity jurisdiction in special cases upon the county judge.

Inferior local courts, of civil and criminal jurisdiction, may be

established by the Legislature in cities; and such courts, except for the cities of New-York and Buffalo, shall have an uniform organization and jurisdiction in such cities.

Section 15. The Legislature may, on application of the board of supervisors provide for the election of local officers, not to exceed two in any county, to discharge the duties of county judge and of surrogate, in cases of their inability or of a vacancy, and to exercise such other powers in special cases as may be provided by law.

Section 16. The Legislature may re-organize the judicial districts at the first session after the return of every enumeration under this Constitution, in the manner provided for in the fourth section of this Article and at no other time; and they may, at such session, increase or diminish the number of districts, but such increase or diminution shall not be more than one district at any one time. Each district shall have four justices of the Supreme Court; but no diminution of the districts shall have the effect to remove a judge from office.

Section 17. The electors of the several towns, shall, at their annual town meeting, and in such manner as the Legislature may direct, elect justices of the peace, whose term of office shall be four years. In case of an election to fill a vacancy occurring before the expiration of a full term they shall hold for the residue of the unexpired term. Their number and classification may be regulated by law. Justices of the peace and judges or justices of inferior courts, not of record, and their clerks may be removed after due notice and an opportunity of being heard in their defence by such county, city, or state courts as may be prescribed by law, for causes to be assigned in the order of removal.

Section 18. All judicial officers of cities and villages, and all such judicial officers as may be created therein by law, shall be elected at such times and in such manner as the Legislature may direct.

Section 19. Clerks of the several counties of this State shall be clerks of the Supreme Court, with such powers and duties as shall be prescribed by law. A clerk for the Court of Appeals, to be ex-officio clerk of the Supreme Court, and to keep his office at the seat of government, shall be chosen by the electors of the State; he shall hold his office for three years, and his compensation shall be fixed by law, and paid out of the public Treasury.

Section 20. No judicial officer, except justices of the peace shall receive to his own use, any fees or perquisites of office.

Section 21. The Legislature may authorize the judgments, decrees, and decisions of any local inferior court or record of original civil jurisdiction, established in a city, to be removed for review directly into the Court of Appeals.

Section 22. The Legislature shall provide for the speedy publication of all statute laws, and of such judicial decisions as it may deem expedient. And all laws and judicial decisions shall be free for publication by any person.

Section 23. Tribunals of conciliation may be established, with such powers and duties as may be prescribed by law, but such

tribunals shall have no power to render judgment to be obligatory on the parties, except they voluntarily submit their matters in difference, and agree to abide the judgment, or assent thereto, in the presence of such tribunal, in such cases as shall be prescribed by law.

Section 24. The Legislature, at its first session after the adoption of this Constitution, shall provide for the appointment of three commissioners, whose duty it shall be to revise, reform, simplify, and abridge the rules and practice, pleadings, forms, and proceedings of the courts of record of this State, and to report thereon to the Legislature, subject to their adoption and modification from time to time.

Section 25. The Legislature at its first session after the adoption of this Constitution, shall provide for the organization of the Court of Appeals, and for transferring to it the business pending in the Court for the Correction of Errors, and for the allowance of writs of error and appeals to the Court of Appeals, from the judgments and decrees of the present Court of Chancery and Supreme Court, and of the courts that may be organized under this Constitution.

ARTICLE VII.

Section 1. After paying the expenses of collection, superintendence and ordinary repairs, there shall be appropriated and set apart in each fiscal year out of the revenues of the State canals, commencing on the first day of June, one thousand eight hundred and forty-six, the sum of one million and three hundred thousand dollars until the first day of June, one thousand eight hundred and fifty-five, and from that time the sum of one million and seven hundred thousand dollars in each fiscal year, as a sinking fund, to pay the interest and redeem the principal of that part of the State debt called the canal debt, as it existed at the time first aforesaid, and including three hundred thousand dollars then to be borrowed, until the same shall be wholly paid; and the principal and income of the said sinking fund shall be sacredly applied to that purpose.

Section 2. After complying with the provisions of the first section of this article, there shall be appropriated and set apart out of the surplus revenues of the State canals, in each fiscal year, commencing on the first day of June, one thousand eight hundred and forty-six, the sum of three hundred and fifty thousand dollars, until the time when a sufficient sum shall have been appropriated and set apart, under the said first section, to pay the interest and extinguish the entire principal of the canal debt; and after that period, then the sum of one million and five hundred thousand dollars in each fiscal year, as a sinking fund, to pay the interest and redeem the principal of that part of the State debt called the General Fund debt, including the debt for loans of the State credit to railroad companies which have failed to pay the interest thereon, and also the contingent debt on State stocks loaned to incorporated companies which have hitherto paid the interest thereon, whenever and as far as any part

thereof may become a charge on the Treasury or General Fund, until the same shall be wholly paid; and the principal and income of the said last mentioned sinking fund shall be sacredly applied to the purpose aforesaid; and if the payment of any part of the moneys to the said sinking fund shall at any time be deferred, by reason of the priority recognized in the first section of this article, the sum so deferred, with quarterly interest thereon, at the then current rate, shall be paid to the last mentioned sinking fund, as soon as it can be done consistently with the just rights of the creditors holding said canal debt.

Section 3. After paying the said expenses of superintendence and repairs of the canals, and the sums appropriated by the first and second sections of this article, there shall be paid out of the surplus revenues of the canals, to the Treasury of the State, on or before the thirtieth day of September, in each year, for the use and benefit of the General Fund, such sum, not exceeding two hundred thousand dollars, as may be required to defray the necessary expenses of the State; and the remainder of the revenues of the said canals shall, in each fiscal year, be applied, in such manner as the Legislature shall direct, to the completion of the Erie Canal Enlargement, and the Genesee Valley and Black River Canals, until the said canals shall be completed.

If at any time after the period of eight years from the adoption of this Constitution, the revenues of the State, unappropriated by this article, shall not be sufficient to defray the necessary expenses of the government, without continuing or laying a direct tax, the Legislature may, at its discretion, supply the deficiency, in whole or in part, from the surplus revenues of the canals, after complying with the provisions of the first two sections of this article, for paying the interest and extinguishing the principal of the Canal and General Fund debt; but the sum thus appropriated from the surplus revenues of the canals shall not exceed annually three hundred and fifty thousand dollars, including the sum of two hundred thousand dollars, provided for by this section for the expenses of the government, until the General Fund debt shall be extinguished, or until the Erie Canal Enlargement and Genesee Valley and Black River Canals shall be completed, and after that debt shall be paid, or the said canals shall be completed, then the sum of six hundred and seventy-two thousand five hundred dollars, or so much thereof as shall be necessary, may be annually appropriated to defray the expenses of the government.

Section 4. The claims of the State against any incorporated company to pay the interest and redeem the principal of the stock of the State loaned or advanced to such company, shall be fairly enforced, and not released or compromised; and the moneys arising from such claims shall be set apart and applied as part of the sinking fund provided in the second section of this article. But the time limited for the fulfilment of any condition of any release or compromise heretofore made or provided for, may be extended by law.

Section 5. If the sinking funds, or either of them, provided in

this article, shall prove insufficient to enable the State, on the credit of such fund, to procure the means to satisfy the claims of the creditors of the State as they become payable, the Legislature shall, by equitable taxes, so increase the revenues of the said funds as to make them, respectively, sufficient perfectly to preserve the public faith. Every contribution or advance to the canals, or their debt, from any source, other than their direct revenues, shall, with quarterly interest, at the rates then current, be repaid into the Treasury, for the use of the State, out of the canal revenues as soon as it can be done consistently with the just rights of the creditors holding the said canal debt.

Section 6. The Legislature shall not sell, lease, or otherwise dispose of any of the canals of the State; but they shall remain the property of the State and under its management, for ever.

Section 7. The Legislature shall never sell or dispose of the salt springs belonging to this State. The lands contiguous thereto, and which may be necessary and convenient for the use of the salt springs, may be sold by authority of law and under the directions of the commissioners of the land office, for the purpose of investing the moneys arising therefrom in other lands alike convenient; but by such sale and purchase the aggregate quantity of these lands shall not be diminished.

Section 8. No moneys shall ever be paid out of the Treasury of this State, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years next after the passage of such appropriation act; and every such law, making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied; and it shall not be sufficient for such law to refer to any other law to fix such sum.

Section 9. The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual association or corporation.

Section 10. The State may, to meet casual deficits or failures in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time, exceed one million of dollars; and the moneys arising from the loans creating such debts, shall be applied to the purpose for which they were obtained, or to repay the debt so contracted, and to no other purpose whatever.

Section 11. In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection, or defend the State in War; but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

Section 12. Except the debts specified in the tenth and eleventh sections of this article, no debt shall be hereafter contracted by or on behalf of this State, unless such debt shall be authorized by a law, for some single work or object, to be distinctly specified therein; and such law shall impose and provide

for the collection of a direct annual tax to pay, and sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principle of such debt within eighteen years from the time of the contracting thereof.

No such law shall take effect until it shall, at a general election, have been submitted to the people, and have received a majority of all the votes cast for and against it, at such election.

On the final passage of such bill in either house of the Legislature, the question shall be taken by ayes and noes, to be duly entered on the journals thereof, and shall be: "Shall this bill pass, and ought the same to receive the sanction of the people?"

The Legislature may at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same; and may at any time, by law, forbid the contracting of any further debt or liability under such law; but the tax imposed by such act, in proportion to the debt and liability which may have been contracted, in pursuance of such law, shall remain in force and be irrevocable, and be annually collected, until the proceeds thereof shall have made the provision herein before specified to pay and discharge the interest and principal of such debt and liability.

The money arising from any loan or stock creating such debt or liability, shall be applied to the work or object specified in the act authorizing such debt or liability, or for the repayment of such debt or liability, and for no other purpose whatever.

No such law shall be submitted to be voted on within three months after its passage, or at any general election, when any other law, or any bill, or any amendment to the Constitution shall be submitted to be voted for or against.

Section 13. Every law which imposes, continues or revives a tax, shall distinctly state the tax and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

Section 14. On the final passage, in either house of the Legislature, of every act which imposes, continues, revives a tax, or creates a debt or charge, or makes, continues, or revives any appropriation of public or trust-money or property, or releases, discharges, or commutes any claim or demand of the State, the question shall be taken by ayes and noes, which shall be duly entered on the journals, and three-fifths of all the members elected to either house, shall, in all such cases, be necessary to constitute a quorum therein.

ARTICLE VIII.

Section 1. Corporations may be formed under general laws; but shall not be created by special act, except for municipal purposes, and in case where, in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws. All general laws and special acts passed pursuant to this section, may be altered from time to time or repealed.

Section 2. Dues from corporations shall be secured by such in-

dividual liability of the corporators and other means as may be prescribed by law.

Section 3. The term corporations, as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships. And all corporations shall have the right to such and shall be subject to be sued in all courts in like cases as natural persons.

Section 4. The Legislature shall have no power to pass any act granting any special charter for banking purposes; but corporations or associations may be formed for such purposes under general laws.

Section 5. The Legislature shall have no power to pass any law sanctioning in any manner, directly or indirectly, the suspension of specie payments, by any person, association, or corporation issuing bank notes of any description.

Section 6. The Legislature shall provide by law for the registry of all bills or notes, issued or put in circulation as money, and shall require ample security for the redemption of the same in specie.

Section 7. The stockholders in every corporation and joint-stock association for banking purposes, issuing bank notes or any kind of paper credits to circulate as money, after the first day of January, one thousand eight hundred and fifty, shall be individually responsible to the amount of their respective share or shares of stock in any such corporation or association, for all its debts and liabilities of every kind, contracted after the said first day of January, one thousand eight hundred and fifty.

Section 8. In case of the insolvency of any bank or banking association, the bill-holders thereof shall be entitled to preference in payment, over all other creditors of such bank or association.

Section 9. It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments, and in contracting debt by such municipal corporations.

ARTICLE IX.

Section 1. The capital of the Common School Fund; the capital of the Literature Fund, and the capital of the United States Deposit Fund, shall be respectively preserved inviolate. The revenue of the said Common School Fund shall be applied to the support of common schools; the revenues of the said Literature Fund shall be applied to the support of academies, and the sum of twenty-five thousand dollars of the revenues of the United States Deposit Fund shall each year be appropriated to and made a part of the capital of the said Common School Fund.

ARTICLE X.

Section 1. Sheriffs, clerks of counties, including the register and clerk of the city and county of New-York, coroners, and

district attorneys, shall be chosen, by the electors of the respective counties, once in every three years and as often as vacancies shall happen. Sheriffs shall hold no other office, and be ineligible for the next three years after the termination of their offices. They may be required by law, to renew their security, from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the sheriff.

The Governor may remove any officer, in this section mentioned, within the term for which he shall have been elected; giving to such officer a copy of the charges against him, and an opportunity of being heard in his defence.

Section 2. All county officers whose election or appointment is not provided for by this Constitution, shall be elected by the electors of the respective counties, or appointed by the boards of supervisors, or other county authorities, as the Legislature shall direct. All city, town, and village officers, whose election, or appointment is not provided for by this Constitution, shall be elected by the electors of such cities, towns, and villages, or of some division thereof, or appointed by such authorities therefor as the Legislature shall designate for that purpose. All other officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people, or appointed, as the Legislature may direct.

Section 3. When the duration of any office, is not provided by this Constitution, it may be declared, by law, and if not so declared, such office shall be held during the pleasure of the authority making the appointment.

Section 4. The time of electing all officers named in this article shall be prescribed by law.

Section 5. The Legislature shall provide for filling vacancies in offices, and in case of elective officers, no person appointed to fill a vacancy shall hold his office by virtue of such appointment longer than the commencement of the political year next succeeding the first annual election after the happening of the vacancy.

Section 6. The political year and legislative term shall begin on the first day of January; and the Legislature shall every year assemble on the first Tuesday in January, unless a different day shall be appointed by law.

Section 7. Provision shall be made by law for the removal for misconduct or malversation in office of all officers (except judicial) whose powers and duties are not local or legislative, and who shall be elected at general elections, and also for supplying vacancies created by such removal.

Section 8. The Legislature may declare the cases in which any office shall be deemed vacant, where no provision is made for that purpose in this Constitution.

ARTICLE XI.

Section 1. The militia of this State, shall at all times hereafter,

be armed and disciplined, and in readiness for service; but all such inhabitants of this State of any religious denomination whatever as from scruples of conscience may be averse to bearing arms, shall be excused therefrom, upon such conditions as shall be prescribed by law.

Section 2. Militia officers shall be chosen, or appointed, as follows:—captains, subalterns, and non-commissioned officers shall be chosen by the written votes of the members of their respective companies. Field officers of regiments and separate battalions, by the written votes of the commissioned officers of the respective regiments and separate battalions; brigadier-generals and brigade inspectors by the field officers of their respective brigades; major-generals, brigadier-generals, and commanding officers of regiments or separate battalions, shall appoint the staff officers to their respective divisions, brigades, regiments, or separate battalions.

Section 3. The Governor shall nominate, and with the consent of the Senate, appoint all major-generals, and the commissary-general. The adjutant-general and other chiefs of staff departments, and the aids-de-camp of the commander-in-chief shall be appointed by the Governor, and their commissions shall expire with the time for which the Governor shall have been elected. The commissary-general shall hold his office for two years. He shall give security for the faithful execution of the duties of his office, in such manner and amount as shall be prescribed by law.

Section 4. The Legislature shall, by law, direct the time and manner of electing militia officers, and of certifying their elections to the Governor.

Section 5. The commissioned officers of the militia shall be commissioned by the Governor; and no commissioned officer shall be removed from office, unless by the Senate on the recommendation of the Governor, stating the grounds on which such removal is recommended, or by the decision of a court martial, pursuant to law. The present officers of the militia shall hold their commissions subject to removal, as before provided.

Section 6. In case the mode of election and appointment of militia officers hereby directed, shall not be found conducive to the improvement of the militia, the Legislature may abolish the same, and provide by law for their appointment and removal, if two-thirds of the members present in each house shall concur therein.

ARTICLE XII.

Section 1. Members of the Legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:—

“I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of New-York; and that I will faithfully discharge the duties of the office of _____ according to the best of my ability.”

And no other oath, declaration, or test shall be required as a qualification for any office or public trust.

ARTICLE XIII.

Section 1. Any amendment or amendments to this Constitution may be proposed in the Senate and Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election of Senators, and shall be published for three months previous to the time of making such choice, and if in the Legislature so next chosen, aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the Legislature, voting thereon, such amendment or amendments shall become part of the Constitution.

Section 2. At the general election to be held in the year eighteen hundred and sixty-six, and in each twentieth year thereafter, and also at such time as the Legislature may by law provide, the question, "Shall there be a Convention to revise the Constitution, and amend the same?" shall be decided by the electors qualified to vote for members of the Legislature; and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a Convention for such purpose, the Legislature at its next session, shall provide by law for the election of delegates to such Convention.

ARTICLE XIV.

Section 1. The first election of Senators and Members of Assembly, pursuant to the provisions of this Constitution, shall be held on the Tuesday succeeding the first Monday of November, one thousand eight hundred and forty-seven.

The Senators and members of Assembly who may be in office on the first day of January, one thousand eight hundred and forty-seven, shall hold their offices until and including the thirty-first day of December following, and no longer.

Section 2. The first election of Governor and Lieutenant-Governor under this Constitution, shall be held on the Tuesday succeeding the first Monday of November, one thousand eight hundred and forty-eight; and the Governor and Lieutenant-Governor in office when this Constitution shall take effect, shall hold their respective offices until and including the thirty-first day of December of that year.

Section 3. The Secretary of State, Comptroller, Treasurer, Attorney-General, District-Attorney, Surveyor-General, Canal Commissioners, and Inspectors of State Prisons in office when this

Constitution shall take effect, shall hold their respective offices until and including the thirty-first day of December, one thousand eight hundred and forty-seven, and no longer.

Section 4. The first election of judges and clerk of the court of appeals, justices of the supreme court, and county judges, shall take place at such time between the first Tuesday of April and the second Tuesday of June, one thousand eight hundred and forty-seven, as may be prescribed by law. The said courts shall respectively enter upon their duties, on the first Monday of July next thereafter; but the term of office of said judges, clerk, and justices, as declared by this Constitution, shall be deemed to commence on the first day of January, one thousand eight hundred and forty-eight.

Section 5. On the first Monday of July, one thousand eight hundred and forty-seven, jurisdiction of all suits and proceedings then pending in the present supreme court and court of chancery, and all suits and proceedings originally commenced and then pending in any court of common pleas (except in the city and county of New York), shall become vested in the supreme court hereby established. Proceedings pending in courts of common pleas and in suits originally commenced in justices' courts, shall be transferred to the county courts provided for in this Constitution, in such manner and form and under such regulations as shall be provided by law. The courts of oyer and terminer hereby established shall, in their respective counties, have jurisdiction, on and after the day last mentioned, of all indictments and proceedings then pending in the present courts of oyer and terminer, and also of all indictments and proceedings then pending in the present courts of general sessions of the peace, except in the city of New York, and except in cases of which the courts of sessions hereby established may lawfully take cognizance; and of such indictments and proceedings as the courts of sessions hereby established shall have jurisdiction on and after the day last mentioned.

Section 6. The Chancellor and the present supreme court shall, respectively, have power to hear and determine any of such suits and proceedings ready on the first Monday of July, one thousand eight hundred and forty-seven, for hearing or decision, and shall, for their services therein, be entitled to their present rates of compensation until the first day of July, one thousand eight hundred and forty-eight, or until all such suits and proceedings shall be sooner heard and determined. Masters in chancery may continue to exercise the functions of their office in the court of chancery, so long as the Chancellor shall continue to exercise the functions of his office under the provisions of this Constitution.

And the Supreme Court hereby established shall also have power to hear and determine such of said suits and proceedings as may be prescribed by law.

Section 7. In case any vacancy shall occur in the office of chancellor or justice of the present Supreme Court, previously to the first day of July, one thousand eight hundred and forty-

eight, the Governor may nominate, and by and with the advice and consent of the Senate, appoint a proper person to fill such vacancy. Any judge of the court of appeals or justice of the supreme court, elected under this Constitution, may receive and hold such appointment.

Section 8. The offices of chancellor, justice of the existing supreme court, circuit judge, vice-chancellor, assistant vice-chancellor, judge of the existing county courts of each county, supreme court commissioner, master in chancery, examiner in chancery, and surrogate (except as herein otherwise provided), are abolished from and after the first Monday of July, one thousand eight hundred and forty-seven (1847).

Section 9. The Chancellor, the justices of the present supreme court, and the circuit judges, are hereby declared to be severally eligible to any office at the first election under this Constitution.

Section 10. Sheriffs, clerks of counties (including the register and clerk of the city and county of New York), and justices of the peace, and coroners, in office when this Constitution shall take effect, shall hold their respective offices until the expiration of the term for which they were respectively elected.

Section 11. Judicial officers in office when this Constitution shall take effect, may continue to receive such fees and perquisites of office as are now authorized by law, until the first day of July, one thousand eight hundred and forty-seven, notwithstanding the provisions of the twentieth section of the sixth article of this Constitution.

Section 12. All local courts established in any city or village, including the superior court, common pleas, sessions, and surrogate's courts of the city and county of New York shall remain, until otherwise directed by the Legislature, with their present powers and jurisdictions; and the judges of such courts and any clerks thereof in office on the first day of January, one thousand eight hundred and forty-seven, shall continue in office until the expiration of their terms of office, or until the Legislature shall otherwise direct.

Section 13. This Constitution shall be in force from and including the first day of January, one thousand eight hundred and forty-seven, except as is herein otherwise provided.

Done in Convention, at the Capitol, in the City of Albany, the ninth day of October in the year one thousand eight hundred and forty-six, and of the Independence of the United States of America the seventy-first.

In witness whereof, we have hereunto subscribed our names.

JOHN TRACY, President,

and delegate from the County of Chenango.

JAMES F. STARBUCK,	} <i>Secretaries.</i>
H. W. STRONG,	
FR. SEGER,	

Constitution of the State of New Jersey.

We the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this constitution.

ARTICLE I.—Rights and Privileges.—1. All men are by nature free and independent and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

2. All political power is inherent in the people.

Government is instituted for the protection, security and benefit of the people, and they have the right of all times to alter or reform the same, whenever the public good may require it.

3. No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretence, whatever, be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry contrary to what he believes to be right or has deliberately and voluntarily engaged to perform.

4. There shall be no establishment of one religion in preference to another. No religious test shall be required as a qualification for any office or public trust; and no person shall be denied the enjoyment of any civil right merely on account of his religious principles.

5. Every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

6. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the papers and things to be seized.

CONSTITUTION OF

7. The right of trial by jury shall remain inviolate ; but the legislature may authorize the trial of civil suits, when the matter in dispute does not exceed fifty dollars, by a jury of six men.

8. In all criminal prosecutions, the accused shall have the right to a speedy and public trial by an impartial jury ; to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defence.

9. No person shall be held to answer for a criminal offence, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia, when in actual service in time of war or public danger.

10. No person shall, after acquittal, be tried for the same offence. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offences, when the proof is evident or presumption great.

11. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety may require it.

12. The military shall be in strict subordination to the civil power.

13. No soldier shall in time of peace, be quartered in any house without the consent of the owner ; nor in time of war, except in a manner prescribed by law.

14. Treason against the state shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act or on confession in open court.

15. Excessive bail shall not be required, excessive fines shall not be imposed, and cruel and unusual punishments shall not be inflicted.

16. Private property shall not be taken for public use without just compensation ; but land may be taken for public highways, as heretofore, until the legislature shall direct compensation to be made.

17. No person shall be imprisoned for debt in any action, or on any judgment founded upon contract, unless in cases of fraud ; nor shall any person be imprisoned for a militia fine in time of peace.

18. The people have the right freely to assemble together, to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.

19. This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

ARTICLE II.—*Right of Suffrage.*—1. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this state one year, and of the county in which he claims his vote five months next before the election, shall be entitled to vote for all officers that now are, or hereafter may be elective by the people; provided, that no person in the military, naval, or marine service of the United States shall be considered a resident in this state, by being stationed in any garrison, barrack, or military or naval place or station within this state; and no pauper, idiot, insane person, or person convicted of a crime which now excludes him from being a witness, unless pardoned or restored by law to the right of suffrage, shall enjoy the right of an elector.

2. The legislature may pass laws to deprive persons of the right of suffrage who shall be convicted of bribery at elections.

ARTICLE III.—*Distribution of the powers of Government.*—

1. The powers of the government shall be divided into three distinct departments—the legislative, executive, and judicial; and no person or persons belonging to, or constituting one of these departments, shall exercise any of the powers properly belonging to either of the others, except as herein expressly provided.

ARTICLE IV.—*Legislative.*—1. The legislative power shall be vested in a Senate and General Assembly.

2. No person shall be a member of the Senate, who shall not have attained the age of thirty years, and have been a citizen and inhabitant of the state for four years, and of the country for which he shall be chosen one year, next before his election; and no person shall be a member of the General Assembly, who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the state for two years and of the county for which he shall be chosen one year, next before his election; provided, that no person shall be eligible as a member of either house of the legislature, who shall not be entitled to the right of suffrage.

3. Members of the Senate and General Assembly shall be elected yearly and every year, on the second Tuesday of October: and the two houses shall meet separately on the second Tuesday in January next, after the said day of election, at which time of meeting the legislative year shall commence; but the time of holding such election may be altered by the legislature.

Section 2.—1. The Senate shall be composed of one senator from each county in the state, elected by the legal voters of the counties, respectively, for three years.

2. As soon as the Senate shall meet after the first election to be held in pursuance of this constitution, they shall be divi-

ded, as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year; and of the third class at the expiration of the third year; so that one class may be elected every year: and if vacancies happen, by resignation or otherwise, the persons elected to supply such vacancies shall be elected for the unexpired terms only.

Section 3.—1. The General Assembly shall be composed of members annually elected by the legal voters of the counties, respectively, who shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants.

The present apportionment shall continue until the next census of the United States shall have been taken and an apportionment of members of the General Assembly shall be made by the legislature, at its first session after the next and every subsequent enumeration or census, and when made shall remain unaltered until another enumeration shall have been taken; provided, that each county shall at all times be entitled to one member: and the whole number of members shall never exceed sixty.

Section 4.—1. Each house shall direct writs of election for supplying vacancies, occasioned by death, resignation, or otherwise; but if vacancies occur during the recess of the legislature, the writs may be issued by the governor, under such regulations as may be prescribed by law.

2. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

3. Each house shall choose its own officers, determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, may expel a member.

4. Each house shall keep a journal of its proceedings, and from time to time publish the same; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

5. Neither house, during the session of the legislature, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

6. All bills and joint resolutions shall be read three times in each house, before the final passage thereof; and no bill joint resolution shall pass, unless there be a majority of all the members of each body personally present and agreeing thereto: and the yeas and nays of members voting on such final passage shall be entered on the journal.

7. Members of the Senate and General Assembly shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the state; which compensation shall not exceed the sum of three dollars per day for the period of forty days from the commencement of the session; and shall not exceed the sum of one dollar and fifty cents per day for the remainder of the session. When convened in extra session by the governor, they shall receive such sum as shall be fixed for the first forty days of the ordinary session. They shall also receive the sum of one dollar for every ten miles they shall travel, in going to and returning from their place of meeting, on the most usual route. The president of the Senate and the speaker of the House of Assembly shall, in virtue of their offices, receive an additional compensation equal to one-third of their per diem allowance as members.

8. Members of the Senate and of the General Assembly shall, in all cases except treason, felony, and breach of peace, be privileged from arrest during their attendance at the sitting of their respective houses, and in going to and returning from the same: and for any speech or debate, in either house, they shall not be questioned in any other place.

Section 5.—1. No member of the Senate or General Assembly shall, during the time for which he was elected be nominated or appointed by the governor, or by the legislature in joint meeting, to any civil office under the authority of this state which shall have been created, or the emoluments whereof shall have been increased, during such time.

2. If any member of the Senate or General Assembly shall be elected to represent this state in the Senate or House of Representatives of the United States, and shall accept thereof, or shall accept of any office or appointment under the government of the United States, his seat in the legislature of this state shall thereby be vacated.

3. No justice of the supreme court, nor judge of any other court, sheriff, justice of the peace, nor any person or persons possessed of any office of profit under the government of this state, shall be entitled to a seat either in the Senate or in the General Assembly; but, on being elected and taking his seat, his office shall be considered vacant: and no person holding any office of profit under the government of the United States shall be entitled to a seat in either house.

Section 6.—1. All bills for raising revenue shall originate in the House of Assembly; but the Senate may propose or concur with amendments, as on other bills.

2. No money shall be drawn from the treasury, but for appropriations made by law.

3. The credit of the state shall not be directly or indirectly loaned in any case.

4. The legislature shall not, in any manner, create any debt or debts, liability or liabilities of the state, which shall singly, or in the aggregate with any previous debts or liabilities, at any time exceed one hundred thousand dollars, except for purposes of war or to repel invasion, or to suppress insurrection, unless the same shall be authorized by a law for some single object or work, to be distinctly specified therein ; which law shall provide the ways and means, exclusive of loans to pay the interest of such debt or liability as it falls due, and also, to pay and discharge the principal of such debt or liability, within thirty-five years from the time of the contracting thereof, and shall be irrevocable until such debt or liability and the interest thereon, are fully paid and discharged : and no such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election : and all money to be raised by the authority of such law shall be applied only to the specific object stated therein, and to the payment of the debt thereby created. This section shall not be construed to refer to any money that has been, or may be deposited with this state by the government of the United States.

Section 7.—1. No divorce shall be granted by the legislature.

2. No lottery shall be authorized by this state ; and no ticket in any lottery not authorized by a law of this state shall be bought or sold within the state.

3. The legislature shall not pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or depriving a party of any remedy for enforcing a contract which existed when the contract was made.

4. To avoid improper influences, which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title.

5. The laws of this state shall begin in the following style, "Be it enacted by the Senate and General Assembly of the State of New Jersey."

6. The fund for the support of free schools, and all money, stock and other property, which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested, and remain a perpetual fund ; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public schools, for the equal benefit of all the people of the state ; and it shall not be competent for the legislature to borrow, appropriate, or use the said fund, or any part thereof, for any other purpose, under any pretence whatever.

7. No private or special law shall be passed authorizing the sale of any lands belonging in whole or in part to a minor or minors, or other persons who may at the time be under any legal disability to act for themselves.

8. The assent of three-fifths of the members elected to each house shall be requisite to the passage of every law for granting continuing, altering, amending, or renewing charters for banks or money corporations; and all such charters shall be limited to a term not exceeding twenty years.

9. Individuals or private corporations shall not be authorized to take private property for public use, without just compensation first made to the owners.

10. The legislature may vest in the circuit courts or courts of common pleas, within the several counties of this state, chancery powers, so far as relates to the foreclosure of mortgages and sale of mortgaged premises.

Section 8.—1. Members of the legislature shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

“I do solemnly swear, (or affirm, as the case may be,) that I will support the constitution of the United States and the constitution of the State of New Jersey, and that I will faithfully discharge the duties of senator (or member of the General Assembly, as the case may be), according to the best of my ability.”

And members elect of the Senate or General Assembly are hereby empowered to administer to each other the said oath or affirmation.

ARTICLE V.—Executive.—1. The executive power shall be vested in a governor.

2. The governor shall be elected by the legal voters of this state. The person having the highest number of votes shall be the governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by the vote of the majority of the members of both houses in joint meeting. Contested elections for the office of governor shall be determined in such manner as the legislature shall direct by law. When a governor is to be elected by the people, such election shall be held at the time when and at the places where the people shall respectively vote for members of the legislature.

3. The governor shall hold his office for three years, to commence on the third Tuesday of January next ensuing the election for governor by the people, and to end on the Monday preceding the third Tuesday of January, three years thereafter; and he shall be incapable of holding that office for three years next after his term of service shall have expired; and no appointment or nomination to office shall be made by the governor during the last week of his said term.

4. The governor shall be not less than thirty years of age, and shall have been for twenty years, at least, a citizen of the United States, and a resident of this state seven years next before his election, unless he shall have been absent during that time on the public business of the United States or of this state.

5. The governor shall, at stated times, receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected.

6. He shall be the commander-in-chief of all the military and naval forces of the state; he shall have power to convene the legislature, whenever, in his opinion, public necessity requires it; he shall communicate, by message, to the legislature at the opening of each session, and at such other times as he may deem necessary, the condition of the state, and recommend such measures as he may deem expedient; he shall take care that the laws be faithfully executed, and grant, under the great seal of the state, commissions to all such officers as shall be required to be commissioned.

1. Every bill which shall have passed both houses shall be presented to the governor: if he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it; if, after such reconsideration, a majority of the whole number of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved of by a majority of the whole number of that house, it shall become a law; but in neither house shall the vote be taken on the same day on which the bill shall be returned to it; and in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor, within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the legislature, by their adjournment, prevent its return, in which case it shall not be a law.

8. No member of Congress, or person holding an office under the United States or this state, shall exercise the office of governor; and in case the governor, or person administering the government, shall accept any office under the United States or this state, his office shall thereupon be vacant.

9. The governor or person administering the government, shall have power to suspend the collection of fines and forfeitures, and to grant reprieves, to extend until the expiration

of a time not exceeding ninety days after conviction; but this power shall not extend to cases of impeachment.

10. The governor, or person administering the government, the chancellor, and the six judges of the court of errors and appeals, or a major part of them, of whom the governor or person administering the government shall be one, may remit fines and forfeitures, and grant pardons after conviction, in all cases except impeachment.

11. The governor and all other civil officers under this state shall be liable to impeachment for misdemeanor in office during their continuance in office, and for two years thereafter.

12. In case of the death, resignation, or removal from office of the governor, the powers, duties and emoluments of the office shall devolve upon the president of the Senate; and in case of his death, resignation, or removal, then upon the speaker of the House of Assembly for the time being, until another governor shall be elected and qualified; but in case such another governor shall be chosen at the next election for members of the state legislature, unless such death, resignation, or removal shall occur within thirty days immediately preceding such next election, in which case a governor shall be chosen at the second succeeding election for members of the legislature. When a vacancy happens, during the recess of the legislature, in any office which is to be filled by the governor and Senate, or by the legislature in joint meeting, the governor shall fill such vacancy, and the commission shall expire at the end of the next session of the legislature, unless a successor shall be sooner appointed: when a vacancy happens in the office of clerk or surrogate of any county, the governor shall fill such vacancy, and the commission shall expire when a successor is elected and qualified.

13. In case of the impeachment of the governor, his absence from the state, or inability to discharge the duties of his office, the powers, duties, and emoluments of the office shall devolve upon the president of the Senate; and in case of his death, resignation, or removal, then upon the speaker of the House of Assembly for the time being, until the governor, absent or impeached, shall return or be acquitted, or until the disqualification or inability shall cease, or until a new governor be elected and qualified.

14. In case of a vacancy in the office of governor, from any other cause than those herein enumerated, or in case of the death of the governor elect before he is qualified into office, the powers, duties, and emoluments of the office shall devolve upon the president of the Senate or speaker of the House of Assembly, as above provided for, until a new governor be elected and qualified.

ARTICLE VI.—Judiciary —Section 1.—1. The judicial power shall be vested in a court of errors and appeals in the last resort in all causes, as heretofore; a court for the trial of impeachments; a court of chancery; a prerogative court; a supreme court; circuit courts, and such inferior courts as now exist, and as may be hereafter ordained and established by law; which inferior courts the legislature may alter or abolish, as the public good shall require.

Section 2.—1. The court of errors and appeals shall consist of the chancellor, the justices of the supreme court, and six judges, or a major part of them; which judges are to be appointed for six years.

2. Immediately after the court shall first assemble, the six judges shall arrange themselves in such manner that the seat of one of them shall be vacated every year, in order that thereafter one judge may be annually appointed.

3. Six of the judges as shall attend the court shall receive, respectively, a per diem compensation, to be provided by law.

4. The secretary of state shall be the clerk of this court.

5. When an appeal from an order or decree shall be heard, the chancellor shall inform the court, in writing, of the reasons for his order or decree; but he shall not sit as a member, or have a voice in the hearing or final sentence.

6. When a writ of error shall be brought, no justice who has given a judicial opinion in the cause, in favor of or against any error complained of, shall sit as a member, or have a voice on the hearing, or for its affirmance or reversal; but the reasons for such opinion shall be assigned to the court in writing.

Section 3.—1. The House of Assembly shall have the sole power of impeaching, by a vote of a majority of all the members; and all impeachments shall be tried by the Senate: the members, when sitting for that purpose, to be on oath or affirmation "truly and impartially to try and determine the charge in question according to evidence:" and no person shall be convicted without the concurrence of two-thirds of all the members of the Senate.

2. Any judicial officer impeached shall be suspended from exercising his office until his acquittal.

3. Judgment, in cases of impeachment shall not extend farther than to removal from office and to disqualification to hold and enjoy any office of honor, profit, or trust under this state; but the party convicted shall nevertheless be liable to indictment, trial, and punishment, according to law.

4. The secretary of state shall be the clerk of this court.

Section 4.—1. The court of chancery shall consist of a chancellor.

2. The chancellor shall be the ordinary, or surrogate general, and judge of the prerogative court.

3. All persons aggrieved by any order, sentence, or decree of the orphans' court may appeal from the same, or from any part thereof, to the prerogative court; but such order, sentence, or decree shall not be removed into the supreme court, or circuit court, if the subject matter thereof be within the jurisdiction of the orphans' court.

4. The secretary of state shall be the registrar of the prerogative court, and shall perform the duties required of him by law in that respect.

Section 5.—1. The supreme court shall consist of a chief justice and four associate justices. The number of associate justices may be increased or decreased by law, but shall never be less than two.

2. The circuit courts shall be held in every county of this state, by one or more of the justices of the supreme court, or a judge appointed for that purpose; and shall in all cases within the county, except in those of a criminal nature, have common law jurisdiction concurrent with the supreme court; and any final judgment of a circuit court may be docketed in the supreme court, and shall operate as a judgment obtained in the supreme court, from the time of such docketing.

3. Final judgments in any circuit court may be brought by writ of error into the supreme court, or directly into the court of errors and appeals.

Section 6.—1. There shall be no more than five judges of the inferior court of common pleas in each of the counties in this state after the terms of the judges of said court now in office shall terminate. One judge for each county shall be appointed every year, and no more, except to fill vacancies, which shall be for the unexpired term only.

2. The commissions for the first appointments of judges of said court shall bear date and take effect on the first day of April next; and all subsequent commissions for judges of said court shall bear date and take effect on the first day of April in every successive year, except commissions to fill vacancies, which shall bear date and take effect when issued.

Section 7.—1. There may be elected under this constitution two, and not more than five, justices of the peace in each of the townships of the several counties of this state, and in each of the wards, in cities that may vote in wards. When a township or ward contains two thousand inhabitants, or less, it may have two justices; when it contains more than two thousand inhabitants, and not more than four thousand, it may have four justices; and when it contains more than four thousand inhabitants, it may have five justices; provided, that whenever any township, not voting in wards, contains more than seven thousand inhabitants, such township may have an additional justice for each additional three thousand inhabitants above four thousand.

2. The population of the townships in the several counties of the state and of the several wards shall be ascertained by the last preceding census of the United States, until the legislature shall provide by law some other mode of ascertaining it.

ARTICLE VII. *Appointing Power and Tenure of Office.*—*Section 1.—Militia Officers.*—1. The legislature shall provide by law for enrolling, organizing, and arming the militia.

2. Captains, subalterns, and non-commissioned officers shall be elected by the members of their respective companies.

3. Field officers of regiments, independent battalions, and squadrons shall be elected by the commissioned officers of their respective regiments, battalions, or squadrons.

4. Brigadier generals shall be elected by the field officers of their respective brigades.

5. Major Generals shall be nominated by the governor, and appointed by him, with the advice and consent of the Senate.

6. The legislature shall provide by law, the time and manner of electing militia officers, and of certifying their elections to the governor, who shall grant their commissions and determine their rank, when not determined by law: and no commissioned officer shall be removed from office but by the sentence of a court martial, pursuant to law.

7. In case the electors of subalterns, captains or field officers, shall refuse or neglect to make such elections, the governor shall have power to appoint such officers, and to fill all vacancies caused by such refusal or neglect.

8. Brigade inspectors shall be chosen by the field officers of their respective brigades.

9. The governor shall appoint the adjutant general, quartermaster general, and all other militia officers whose appointment is not otherwise provided for in this constitution.

10. Major generals, brigadier generals, and commanding officers of regiments, independent battalions, and squadrons shall appoint the staff officers of their divisions, brigades, regiments, independent battalions, and squadrons, respectively.

Section 2.—Civil Officers.—1. Justices of the supreme court, chancellor, and judges of the court of errors and appeals, shall be nominated by the governor, and appointed by him, with the advice and consent of the Senate. The justices of the supreme court and chancellor shall hold their offices for the term of seven years; shall, at stated times, receive for their services a compensation, which shall not be diminished during the term of their appointments; and they shall hold no other office under the government of this state or of the United States.

2. Judges of the courts of common pleas shall be appointed by the Senate and General Assembly, in joint meeting. They

shall hold their offices for five years ; but when appointed to fill vacancies, they shall hold for the unexpired term only.

3. The state treasurer and the keeper and inspectors of the state prison shall be appointed by the Senate and General Assembly, in joint meeting. They shall hold their offices for one year, and until their successors shall be qualified into office.

4. The attorney general, prosecutors of the pleas, clerk of the supreme court, clerk of the court of chancery, and secretary of state, shall be nominated by the governor, and appointed by him, with the advice and consent of the Senate. They shall hold the office for five years.

5. The law reporter shall be appointed by the justices of the supreme court or a majority of them ; and the chancery reporter shall be appointed by the chancellor. They shall hold their offices for five years.

6. Clerks and surrogates of counties shall be elected by the people of their respective counties, at the annual elections for members of the General Assembly. They shall hold their offices for five years.

7. Sheriffs and coroners shall be elected annually, by the people of their respective counties, at the annual elections for members of the General Assembly. They may be re-elected until they shall have served three years but no longer ; after which, three years must elapse before they can be again capable of serving.

8. Justices of the peace shall be elected by ballot, at the annual meetings of the townships in the several counties of the state, and of the wards in cities that may vote in wards, in such manner, and under such regulations, as may be hereafter provided by law. They shall be commissioned for the county, and their commissions shall bear date and take effect on the first day of May next after their election. They shall hold their offices for five years ; but when elected to fill vacancies, they shall hold for the unexpired term only ; provided, that the commission of any justice of the peace shall become vacant upon his ceasing to reside in the township in which he was elected. The first election for justices of the peace shall take place at the next annual town meetings of the townships in the several counties of the state and of the wards in cities that may vote in wards.

9. All other officers whose appointments are not otherwise provided for by law, shall be nominated by the governor, and appointed by him, with the advice and consent of the Senate ; and shall hold their offices for the time prescribed by law.

10. All civil officers elected or appointed pursuant to the provisions of this constitution shall be commissioned by the governor.

11. The term of office of all officers elected or appointed

pursuant to the provisions of this constitution, except when herein otherwise directed, shall commence on the day of the date of their respective commissions; but no commission for any office shall bear date prior to the expiration of the term of the incumbent of said office.

ARTICLE VIII.—*General Provision.*—1. The secretary of state shall be ex officio an auditor of the accounts of the treasurer, and, as such, it shall be his duty to assist the legislature in the annual examination and settlement of said accounts, until otherwise provided by law.

2. The seal of the state shall be kept by the governor, or person administering the government, and used by him officially, and shall be called the great seal of the State of New Jersey.

3. All grants and commissions shall be in the name and by the authority of the state of New Jersey, sealed with the great seal, signed by the governor or person administering the government, and countersigned by the secretary of state, and shall run thus: "The State of New Jersey to———, greeting." All writs shall be in the name of the state; and all indictments shall conclude in the following manner, viz: "against the peace of this state, the government and dignity of the same."

4. This constitution shall take effect and go into operation on the second day of September, in the year of our Lord one thousand eight hundred and forty-four.

ARTICLE IX.—*Amendments.*—1. Any specific amendment or amendments to the constitution may be proposed in the Senate or General Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the legislature then next to be chosen, and shall be published, for three months previous to making such choice, in at least one newspaper of each county, if any be published therein; and if in the legislature next chosen, as aforesaid, such proposed amendment or amendments, or any of them, shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments, or such of them as may have been agreed to as aforesaid by the two legislatures, to the people, in such manner and at such time, at least four months after the adjournment of the legislature, as the legislature shall prescribe; and if the people, at a special election, to be held for that purpose only, shall approve and ratify such amendment or amendments, or any of them, by a majority of the electors qualified to vote for members of the

legislature voting thereon, such amendment or amendments, so approved and ratified, shall become part of the constitution; provided, that if more than one amendment be submitted, they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly; but no amendment or amendments shall be submitted to the people by the legislature oftener than once in five years.

ARTICLE X.—*Schedule*.—That no inconvenience may arise from the change in the constitution of this state, and in order to carry the same into complete operation, it is hereby declared and ordained, that—

1. The common law and statute laws now in force not repugnant to this constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the legislature; and all writs, actions, causes of action, prosecutions, contracts, claims, and rights of individuals, and bodies corporate, and of the state, and all charters of incorporation, shall continue, and all indictments which shall have been found, or which may hereafter be found, for any crime or offence committed before the adoption of this constitution, may be proceeded upon as if no change had taken place. The several courts of law and equity, except as herein otherwise provided, shall continue with the like powers and jurisdiction as if this constitution had not been adopted.

2. All officers now filling any office or appointment, shall continue in the exercise of the duties thereof, according to their respective commissions or appointments, unless, by this constitution, it is otherwise directed.

3. The present governor, chancellor, and ordinary or surrogate general, and treasurer, shall continue in office until successors elected or appointed under this constitution shall be sworn or affirmed into office.

4. In case of the death, resignation, or disability of the present governor, the person who may be vice-president of Council at the time of adoption of this constitution shall continue in office, and administer the government, until a governor shall have been elected and sworn or affirmed into office under this constitution.

5. The present governor, or in case of his death, or inability to act, the vice-president of Council, together with the present members of the Legislative Council and secretary of state shall constitute a board of state canvassers, in the manner now provided by law, for the purpose of ascertaining and declaring the result of the next ensuing election for governor, members of the House of Representatives, and electors of president and vice president.

6. The returns of the votes for governor, at the said next

ensuing election shall be transmitted to the secretary of state, the votes counted, and the election declared, in the manner now provided by law in the case of the election of electors of president and vice president.

7. The election of clerks and surrogates, in those counties where the term of office of the present incumbents shall expire previous to the general election of eighteen hundred and forty-five, shall be held at the general election next ensuing the adoption of this constitution; the result of which election shall be ascertained in the manner now provided by law for the election of sheriffs.

8. The elections for the year eighteen hundred and forty-four shall take place as now provided by law.

6. It shall be the duty of the governor to fill all vacancies in office happening between the adoption of this constitution and the first session of the Senate, and not otherwise provided for; and the commissions shall expire at the end of the first session of the Senate, or when successors shall be elected or appointed and qualified.

10. The restriction of the pay of members of the legislature after forty days from the commencement of the session, shall not be applied to the first legislature convened under this constitution.

11. Clerks of counties shall be clerks of the inferior courts of common pleas and quarter-sessions of the several counties, and perform the duties, and be subject to the regulations, now required of them by law, until otherwise ordained by the legislature.

12. The legislature shall pass all laws necessary to carry into effect the provisions of this constitution.

Done in convention at the State House, in Trenton, on the twenty-ninth day of June, in the year of our Lord one thousand eight hundred and forty-four, and of the Independence of the United States the sixty-eighth.

ALEXANDER WURTS,
President of the Convention.*

WILLIAM PATTERSON, Secretary.

TH. J. SAUNDERS, Assistant Secretary.

* The Hon. I. H. Williamson, the President, resigned in consequence of ill health, and Mr. Wurts was unanimously elected to fill the vacancy.

